

MINUTES
OF THE BOARD OF
TRUSTEES
INTERNAL IMPROVEMENT
FUND

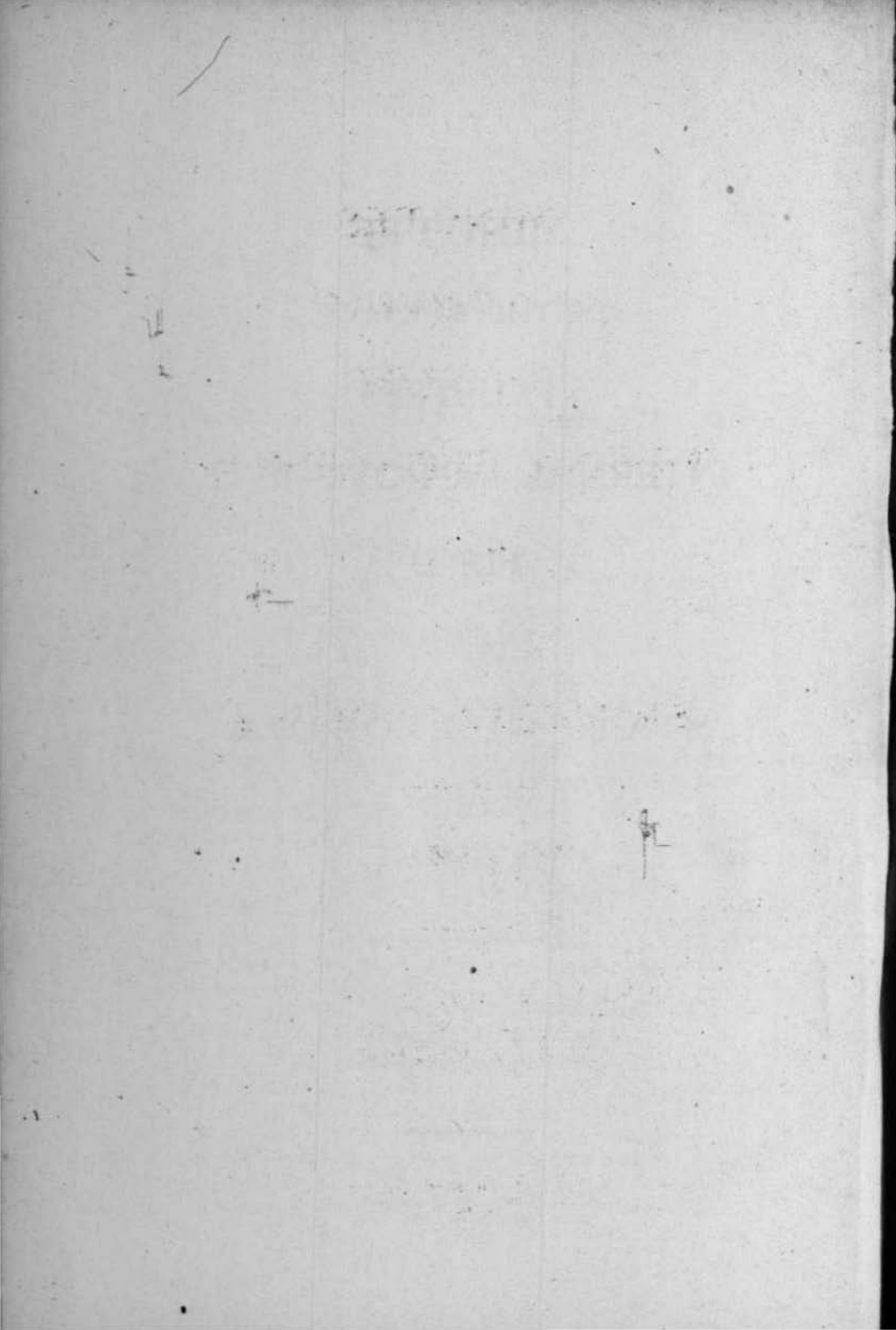
OF THE
STATE OF FLORIDA.

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**VOLUME V.**  
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Published under authority of Trustees by
WILLIAM M. MCINTOSH, JR.,
Secretary and Treasurer.

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Tallahassee, Fla.

1904





# MINUTES.

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## Board of Trustees of the Internal Improvement Fund of the State of Florida.

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Tallahassee, Fla., December 15, 1899.

The Board met in the Executive Office.

Present: William D. Bloxham, Governor.  
William H. Reynolds, Comptroller.  
James B. Whitfield, State Treasurer.  
William B. Lamar, Attorney General.  
L. B. Wombwell, Commissioner of Agriculture.

The following letters from Hon. J. N. Whitner were ordered spread upon the minutes:

"Sanford, Fla., Nov. 22nd, 1899.

"Trustees of the Internal Improvement Fund of the State  
of Florida,

"Tallahassee, Florida.

"Gentlemen: Acting in accordance with my understanding with you, I visited Lake Washington while Mr. Fries was making examination ordered by you of the proposed canal for draining the valley of the St. Johns River into the Indian River.

"You no doubt have his report, which can not fail to be favorable. My own views as to feasibility and desirability were confirmed. I am also pleased to report that everyone I saw or heard of. is most anxious to have it cut. I again assure you of the great benefit to the State. As the canal is distinctly for drainage and not navigation, we propose that it be cut at ordinary low water on the St. Johns River or Lake Washington, with but a slight grade, say one foot, till back bone of divide be passed, this

insures non-interference with any possible navigation on the St. Johns.

"I have associated with me, Messrs. S. O. Chase and C. W. Goodrich of Orange County, and A. T. Rossitter, of Volusia County, and we request you to have contract drawn as agreed upon, to cut a canal as above, at some point in Township 25, 26 or 27, and as the canal will be from six to ten miles in length, we ask that in accordance with Act of the last Legislature authorizing donation of "any lands not already deeded," you make proper reservation for us of lands in the vicinity of the lower St. Johns Valley, from a point South of Lake Monroe, such quantity to be deeded to us as shall be earned under contract.

"While we propose to begin promptly and push the work through, we nevertheless ask a reasonable time, and suggest five years, in which to complete the work.

"Yours respectfully,

"J. N. WHITNER."

"Sanford, Fla., Dec. 8th, 1899.

"Mr. W. M. McIntosh, Jr.,

"Sec. & Treas. I. I. Board,

"Tallahassee, Florida.

"Dear Sir: Yours of the 4th. inst. to hand, in which you say, the Board of Trustees of the I. I. Fund have received Mr. Fries report of the investigation of the proposed canal from the St. Johns to Indian River, but, you do not say if his report is favorable to the cutting of such canal, or otherwise. You further say, 'additional information is being sought through other channels,' etc. Possibly I might supply such information as they require, at least in part.

"When I met the Board in October, my understanding with them was that the feasibility and importance of said canal as an outlet for excess of water in St. Johns River valley was conceded, and the only objection to closing a contract was the possibility of interference with navigation, and it was on this point, the opinion of an engineer was desired. I do not of course know what Mr. Fries report was, but he assured me that he was satisfied the proposed canal could in no way affect navigation on the St. Johns, and could do no damage to Indian River. In my investigations, I find all interested, *most anxious* for it. I can write very felingly on the subject, having lost the

work of two years by high water. In addition to loss to farmers and truck growers, thousands of dollars worth of stock have already perished this fall, and many thousands more will do so, by reason of damage to pasture just as winter is upon us. Indeed the loss to the citizens this year is many times the value of the grant we ask to cut the canal, which would in future save the property already here, and within five years increase it manifold.

"I dislike exceedingly to seem to hurry the Board in reaching a conclusion, but we are most anxious to begin arrangements to cut this canal at approaching low water, and such arrangements require time. I feel less hesitation in asking as early action as possible, because this is no new scheme, but has had legislative approval for nearly fifty years, and its importance is universally admitted.

"If after considering this the Board still hesitates for fear of possible injury to any interest, I most respectfully suggest that such interest would have the right of injunction, which they might exercise without charging you with 'Government by Injunction.'

"If you will kindly get a speedy consideration of the matter, and this letter I assure you that I will be grateful to you and the members of the Board.

"My last letter covers details and I think explains why the canal could not lower the St. Johns below its banks.

"Yours very truly,

"J. N. WHITNER."

Letters from two well known competent civil engineers in relation to the effect which a canal from Lake Washington, on the upper St. Johns River, to Indian River, would have on the navigation of the St. Johns River were considered by the Board, and it appearing that the safeguards contemplated by the Board would be entirely sufficient to prevent the possibility of any injury to the navigation of the St. Johns at any time in the future, the Secretary was directed to write Hon. J. N. Whitner as follows:

"I am directed by the Board of Trustees of the Internal Improvement Fund of the State of Florida to say that a contract will be entered into in pursuance of Chapter 4804 of the Laws of Florida, for a canal to be cut from Lake Washington on the upper St. Johns River to the Indian River; such canal to be one hundred feet wide but very shallow, making the average stage of water in Lake

Washington level with the bottom of the canal where it leaves said lake,' so that 'whenever the lake therefore is at its average height or below the same, not a drop of water will be taken from the St. Johns River.' These conditions are based upon the report of the engineer and are deemed to be essential. The grant of land to be provided for in the contract will be limited to six thousand acres per mile to be selected from any land, nearest the route of the canal, which was granted to the State of Florida, under the Act of Congress of September 28th, 1850, and which has not been heretofore granted, conveyed or contracted to be conveyed.

"You can draw up a form of contract to be submitted to the Board for consideration, or, if you prefer, I will draw the contract in such form as will be satisfactory to the Board.

"Yours very truly.

"W. M. McINTOSH, JR.,

"Secretary Board of Trustees I. I. Fund of Florida."

The account of Frank A. Hough, for examining and grading I. I. land in Levy and Taylor counties, amounting to three hundred and fourteen dollars and fifteen cents (\$314.15) was ordered paid.

The Board then adjourned.

Attest:

W. M. McINTOSH, JR.,      W. D. BLOXHAM,  
Secretary.      President.

Tallahassee, Fla., December 18, 1899.

The Board met in the Executive Office.

Present: William D. Bloxham, Governor.  
William H. Reynolds, Comptroller.  
James B. Whitfield, State Treasurer.  
William B. Lamar, Attorney General.  
L. B. Wombwell, Commissioner of Agriculture.

Mr. F. H. Hafer, Manager of The Etoniah Canal and Drainage Company, having requested the reservation of any land which might become subject to its land grant in the event that the canal was cut as provided, the Salesman was directed to prepare a letter to be transmitted by

him as such Salesman. The following letter was so prepared and approved by the Board in so far as relates to any lands therein mentioned which were patented to the State under the act of Congress of September 28th, 1850, which have not heretofore been granted, conveyed or contracted to be conveyed.

"Tallahassee, Fla., Dec. 18-99.

"Mr. F. H. Hafer.

"Manager The Etoniah Canal and Drainage Co.,  
"Palatka, Fla.

"Sir:—I am instructed by the Internal Improvement Board to notify you that all lands the titles of which are in the I. I. Board and patented under the Swamp Act of September 28th, 1850, or may hereafter be patented, in townships 8 and 9, range 23, and in townships 8 and 9, range 24, in Putnam and Clay Counties, Florida, will be held by the Board for the benefit of the Etoniah Canal and Drainage Company to be deeded to said Company with its charter as said lands are reclaimed. I also notify you as Sales Agent of school lands in townships 8 and 9, range 24 Putnam and Clay counties, that these lands will be held subject to purchase by you, for ninety days, at \$1.25 per acre.

"Yours very truly.

"L. B. WOMBWELL,  
"Commissioner of Agriculture."

The Board then adjourned.

Attest:

W. M. McINTOSH, JR.,

Secretary.

W. D. BLOXHAM,

President.

Tallahassee, Fla., December 28, 1899.

The Board met in the Executive Office.

Present: William D. Bloxham, Governor.

William H. Reynolds, Comptroller.

James B. Whitfield, State Treasurer.

William B. Lamar, Attorney General.

L. B. Wombwell, Commissioner of Agriculture.

The following accounts were presented and ordered paid: Frank A. Hough, for examining and grading I. I.



land in Wakulla and Jefferson Counties, fifty-four dollars and forty-one cents (\$54.41); P. D. Cassidy, Clerk Circuit Court Duval County, for certified copy of cross bill *in re F. C. & P. vs. W. D. Bloxham, et als.*, four dollars, (\$4.00).

The Board then adjourned.

Attest:

|                      |                |
|----------------------|----------------|
| W. M. McINTOSH, JR., | W. D. BLOXHAM, |
| Secretary.           | President.     |

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Tallahassee, Fla., January 4, 1900.

The Board met in the Executive Office.

Present: William D. Bloxham, Governor.  
 William H. Reynolds. Comptroller.  
 James B. Whitfield, State Treasurer.  
 William B. Lamar, Attorney General.  
 L. B. Wombwell. Commissioner of Agriculture.

It was ordered that the Treasurer of the Board pay to Judge George P. Raney, General Counsel, the sum of one thousand dollars (\$1,000.00) as general retainer.

The Board then adjourned.

Attest:

|                      |                |
|----------------------|----------------|
| W. M. McINTOSH, JR., | W. D. BLOXHAM, |
| Secretary.           | President.     |

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Tallahassee, Fla., January 17, 1900.

The Board met in the Executive Office.

Present: William D. Bloxham, Governor.  
 William H. Reynolds. Comptroller.  
 James B. Whitfield, State Treasurer.  
 William B. Lamar, Attorney General.  
 L. B. Wombwell, Commissioner of Agriculture.

The following letter, from the President of the Board of Trade of Jacksonville was presented and ordered spread upon the minutes:

"Jacksonville Board of Trade,  
 "Jacksonville, Fla., Jany. 15th. 1900.

"Hon. W. D. Bloxham,

"Governor State of Florida.

"Tallahassee, Fla.

"Dear Sir:—This Board of Trade is advised that Mr. J. N. Whitner of Orange Co. has a contract with the Internal Board of Improvement to cut a canal from Lake Washington through Elbow Creek, touching Indian River at Eau Gallie; which it is feared will be a serious detriment to the navigation of the St. John's River unless said canal is provided with locks and dams, which we are informed is not contemplated. We therefore trust that you will not permit the work to be prosecuted until the project can be further investigated, and it can be ascertained whether or not the navigation of the River will be affected thereby. We are

"Very Respy. Yours,

"C. E. GARNER,

"Prest."

"C. H. SMITH,

"Secy."

The Secretary was directed to send a copy of the above letter to Hon. J. N. Whitner, and write him as follows:

"I herewith enclose copy of a letter from the President of the Board of Trade of Jacksonville *in re* Canal St. Johns to Indian River.

"There have also been several personal appeals to the Trustees to exercise great care, and the matter is being carefully considered.

"You requested me to draw up a form of contract, and I will do so when the Board decides as to the terms thereof. The usual requirement that the work shall be done under the direction of a competent engineer to be selected, or approved, by the Board will doubtless be inserted, and there will be a provision as to the permanency of the work at the mouth of the canal where it leaves the Lake, for locks, if necessary, and for security for the proper construction and maintenance of the canal for a period of years, with such reservations as will enable the Board to see that navigation on the St. Johns will not be endangered by means of the canal. As to just what these terms will be I can not say now as the Board has not acted thereon."

The Board then adjourned.

Attest:

W. M. McINTOSH, JR.,  
Secretary.

W. D. BLOXHAM,  
President.

Tallahassee, Fla., February 10, 1900.

The Board met in the Executive Office.

Present: William D. Bloxham, Governor.  
William H. Reynolds, Comptroller.  
James B. Whitfield, State Treasurer.  
William B. Lamar, Attorney General.  
L. B. Wombwell, Commissioner of Agriculture.

Hon. H. Gaillard appeared before the Board and applied for the amount due the Florida Coast Line Canal and Transportation Company for lands sold within its land grant reservation as determined by the Board at a meeting held June 22nd, A. D. 1897, less the one thousand dollars paid to Judge P. W. White, Attorney for said Company, June 23rd, 1897, leaving a balance due of \$10,747.77.

After a full consideration of the matter, including the entire scope of the various resolutions adopted by the Board on June 22nd, 1897, and by the advice of Judge Geo. P. Raney, General Counsel of the Board, the following resolution was adopted:

*"Resolved*, That the Treasurer of the Board be and he is hereby directed to pay to the Florida Coast Line Canal and Transportation Company the sum of Ten Thousand Seven Hundred and Forty-seven and 77-100 Dollars balance due under the resolution of the Board adopted June 22, 1897, and

*"Resolved Further*. That as this payment accomplishes in full the purpose of all the resolutions adopted on the 22nd day of June 1897, on behalf of said Company, that each and all of said resolutions be and the same are hereby rescinded."

The Treasurer of the Board stated that he had purchased Five (5) Leon County Bonds of the denomination of Five Hundred Dollars each, and numbered 69, 80, 100, 102 and 132, with coupon No. 18 on, for Two Thousand



Five Hundred Dollars (\$2,500.00), and the action of the Treasurer was approved. The bonds were then presented and canceled.

The account of the Weekly Tallahasseean, for printing for Salesman's Office, amounting to fourteen dollars (\$14.00) was read and ordered paid.

The Board then adjourned.

Attest:

|                      |                |
|----------------------|----------------|
| W. M. McINTOSH, JR., | W. D. BLOXHAM, |
| Secretary.           | President.     |

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Tallahassee, Fla., February 16, 1900.

The Board met in the Executive Office.

Present: William D. Bloxham, Governor.  
 William H. Reynolds, Comptroller.  
 James B. Whitfield, State Treasurer.  
 William B. Lamar, Attorney General.  
 L. B. Wombwell, Commissioner of Agriculture.

The matter of executing a contract for the canal from the St. Johns River to Indian River, as provided for by the Act of the Legislature of 1899, Chapter 4804 of the Laws of Florida, was taken up for final action and fully considered.

The following petition and letters were ordered spread upon the minutes:

"Lanier, Osceola Co., Fla., Feb. 12, 1900.

"To the Honorable the Board of Trustees of the Internal Improvement Fund of the State of Florida.

"We the undersigned cattle owners and citizens residing in the Lanier district, of Osceola Co., West side of Lake Washington, petition your Honorable Board in favor of the drainage canal from the St. Johns to the Indian River, as authorized by the Act of the Legislature of Florida of May 1899, known as Chapter 4804, Laws of Florida. The cattle owners of Osceola Co. are annually subjected to severe losses from lack of dry pasture to which their cattle can be driven for security in time of flood, and when the ranges are submerged by heavy rain-falls. They also suffer greatly from the droughts which are now of so frequent recurrence.

"A very wide and shallow canal, such as suggested by Engineer Fries, would not only reclaim many thousand acres, at present a vast marsh and impenetrable cane brake, and convert them into the richest pasture, but would, in the driest season, furnish to stock an unfailing supply of water of easy access. A land improvement such as this would not benefit stockmen only, but would add largely to the resources of the commonwealth of Florida.

"We would not advocate this drainage scheme were we conscious that it would injure other important industries; but we conscientiously believe that the saltiness of the Indian River would not be effected to the detriment of the fisheries in the least degree. The Indian River being really a part of the Ocean.

"We are also convinced that a canal of so moderate dimensions as that projected could not possibly injure the shipping interests of Jacksonville to any appreciable extent whatever.

"We therefore respectfully petition your honorable Board to proceed without delay to the construction of a work of so great importance to South Florida.

|                    |                |                 |
|--------------------|----------------|-----------------|
| "I. M. Lanier.     | R. H. Lanier.  | C. H. Lanier.   |
| "W. W. Nettles.    | W. M. Wheeler. | I. H. Lanier.   |
| "C. G. Smith.      | D. J. Summer.  | Hiram Platt.    |
| "Calvin Platt.     | W. M. Rogers.  | R. C. Savage.   |
| "R. R. Kilpatrick. | I. W. Lanier.  | Jas. H. Lanier. |

"The above names are stock owners of the west side of the St. Johns River and Lake Washington, and I as an individual believe this canal would be of great importance toward the building up of this country and a great help to the stock industry of this country.

"I. M. LANIER,  
"Post Master."

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"Sanford, Fla., Dec. 26, 1899.

"Mr. W. M. McIntosh, Jr.,

"Secretary Board of Trustees, I. I. Fund of Fla.,  
"Tallahassee, Fla.

"Dear Sir:—Your favor to hand notifying me that the I. I. Board would make the contract for cutting canal from Lake Washington to the Indian River on certain

conditions, stated in your letter, which conditions are satisfactory and meet our approval, and I write to ask that you draw the contract in accordance therewith, at your early convenience.

"Yours very truly,

"J. N. WHITNER."

The parties to the contract are C. W. Goodrich, J. N. Whitner, S. O. Chase, Orange County, and A. T. Rossiter, Volusia County.

The Secretary of the Board then presented the following articles of agreement which were approved and ordered to be submitted to Hon. J. N. Whitner and associates:

"Whereas, The Legislature of the State of Florida did, at its regular session held in the year A. D. One Thousand Eight Hundred and Ninety-Nine, pass 'An Act to confer the power upon the Trustees of the Internal Improvement Fund to contract for the cutting of a canal from the St. Johns to the Indian River; and to grant swamp and overflowed lands for the cutting of said canals,' which said act provides that

"Whereas, The vast grants of land from the United States government to the State of Florida, known as swamp and overflowed land, were directly for the purpose of draining and reclaiming those lands; and

"Whereas, The Legislature of 1855, putting into effect the constitution of 1838, designated for proper improvement the building of certain railroads and the cutting of a canal from the St. Johns to Indian River, to drain the alluvial lands of the St. Johns; and

"Whereas, All of these schemes have been carried out, except the cutting of the canal from the St. Johns to the Indian River; therefore

"Be it enacted by the Legislature of the State of Florida

"That power is hereby conferred upon the Trustees of the Internal Improvement Fund to make a contract to cut such canal, and they are empowered to grant any swamp and overflowed lands, not already deeded, to this end, not to exceed six thousand acres (6,000) per mile for cutting such canal.

"Approved June 2, 1899."

"And Whereas, It is the purpose of the Trustees of the Internal Improvement Fund of the State of Florida to comply, as far as possible, with the wishes of the people

as expressed in their representatives in the Legislature; therefore, it has been deemed best, in pursuance of the provisions of said Act, to enter into the following Articles of Agreement:

"ARTICLES OF AGREEMENT made and entered into this the ..... day of ....., A. D. One Thousand Nine Hundred, 1900, by and between J. N. Whitner, C. W. Goodrich, S. O. Chase and A. T. Rossiter, parties of the first part, and William D. Bloxham, Governor of Florida, Williams H. Reynolds, Comptroller, W. B. Lamar, Attorney General, J. B. Whitfield, State Treasurer, and L. B. Wombwell, Commissioner of Agriculture of said State, and ex-officio, the Trustees of the Internal Improvement Fund of the State of Florida, as such Trustees, parties of the second part.

"WITNESSETH; That the parties of the first part, for themselves, their heirs, executors, administrators and assigns, jointly and severally agree and bind themselves unto the parties of the second part, and their successors; to undertake to cut a canal, at their own expense and charge, from the vicinity of Lake Washington, on the upper St. Johns river, to Indian River, for the purpose of connecting the overflow waters of Lake Washington with the waters of Indian River and thereby draining and reclaiming the lands adjacent to the route of said canal and rendering the same fit for cultivation; said canal to be one hundred feet wide, but very shallow, making the bottom of the canal where it leaves Lake Washington level with the average stage of water in said lake so that whenever said Lake is at its average height, or below the same, not a drop of water will be taken therefrom, or from the St. Johns River; said level to be determined and fixed by the State Engineer. The parties of the first part further agree that before the work of construction of the canal shall be commenced, suitable provision shall be made at the mouth of the canal, at the end thereof nearest to Lake Washington, for the maintenance thereof by the use of stone or other material of a permanent nature for the bottom and sides of the canal for such distance as may be deemed necessary, and that such work shall be done entirely under and in pursuance of the directions of the State Engineer who shall be appointed for that purpose by the parties of the second part; and it is expressly understood that the State Engineer so appointed shall have

full power to make such requirements in relation thereto as, in his judgment, may be best, and that the State Engineer may also require the construction of such lock, or locks, or other means of controlling the flow of the waters of the canal as may, in his judgment, be necessary or prudent, so as to preclude the possibility of the lowering of the St. Johns River, or any of its tributaries, at any time in the future, and to that end the State Engineer is fully empowered to prevent the construction of the canal if his directions are not fully carried out, and in that event all rights of the parties of the first part under this contract shall become null and void, unless otherwise directed by the parties of the second part.

"It is expressly understood and agreed that the work and enterprise of cutting said canal for the purpose of draining and reclaiming the adjacent land is to be begun, carried on and prosecuted under the personal direction and supervision of the State Engineer and a skillful and experienced engineer to be selected, provided, maintained and paid by the said parties of the first part; and the said parties of the first part are to have the right to cut said canal through any land which may belong to said Improvement Fund. The parties of the first part further agree that they will not commence the work of constructing the canal until directed to do so by the said State Engineer, and that they will follow his instructions as herein provided for; and that within six months from the date that the State Engineer authorizes the commencement of the work they will begin the actual work of cutting said canal, under the direction and approval of the State Engineer, and will complete the same within five years from the date hereof. The parties of the second part, for themselves and their successors, as such Trustees, do agree and bind themselves and their successors in the administration of said trust, that they will, and their successors shall, convey by proper deed to the parties of the first part, their heirs, executors, administrators or assigns, the then existing title of the State to six thousand acres of land for each mile of canal actually cut for the purpose of draining and reclaiming the adjacent land; said land to be selected from any land, nearest the route of the canal which was granted to the State of Florida under the Act of Congress of September 28th, 1850, which has not been heretofore granted, conveyed or contracted to be conveyed; a



deed of conveyance to be made when the canal is completed and reported upon by the State Engineer, and to include such lands as are available under the terms of this agreement. The parties of the second part hereby expressly reserve the unrestricted right and power, without notice, to enter upon and close the canal at any time when, in their judgment, there may be a violation, on the part of the parties of the first part, or any person acting for or under them, or their successors or assigns, of any of the terms or conditions of this agreement, or when, in their judgment, there is any menace to the navigation of the St. Johns River, and to take such other or further action in relation thereto as, in the judgment of the parties of the second part, or their successors, may be deemed to be best to avoid, or prevent, any reduction in the water of the St. Johns River, or any injury to the navigation of said River.

"IN TESTIMONY WHEREOF, the parties of the first part have hereunto subscribed their names and affixed their seals, and the said Trustees have hereunto subscribed their names and affixed their seals, and have caused the seal of the Department of Agriculture of the State of Florida to be hereunto affixed at the Capitol, in the city of Tallahassee, Florida, in duplicate, this..... day of ..... A. D. 1900.

"Signed, sealed and delivered in presence of"

The account of Frank A. Hough for examining and grading I. I. lands in Lafayette County, amounting to two hundred and twenty-two dollars and twenty cents (\$222.20) was presented and ordered paid.

The Board then adjourned.

Attest:

W. M. McINTOSH, JR.,

Secretary.

W. D. BLOXHAM,

President.

Tallahassee, Fla., March 3, 1900.

The Board met in the Executive Office.

Present: William D. Bloxham, Governor.

William H. Reynolds, Comptroller.

James B. Whitfield, State Treasurer.

William B. Lamar, Attorney General.

L. B. Wombwell, Commissioner of Agriculture.

The following accounts were presented and ordered paid: John McDougall, postmaster, for postal cards and wrappers, two dollars and ten cents (\$2.10); Weekly Tallahasseean, for printing for Salesman's office, eight dollars and twenty-five cents (\$8.25).

The Board then adjourned.

Attest:

W. M. McINTOSH, JR.,  
Secretary.

W. D. BLOXHAM,  
President.

Tallahassee, Fla., March 22, 1900.

The Board met in the Executive Office.

Present: William D. Bloxham, Governor.  
William H. Reynolds, Comptroller.  
James B. Whitfield, State Treasurer.  
William B. Lamar, Attorney General.  
L. B. Wombwell, Commissioner of Agriculture.

The following letter was ordered spread upon the minutes:

"Owens, Fla., Mch. 8th, 1900.

"Hon. W. D. Bloxham, Tallahassee, Fla.

"Dear Sir:—Some two or three weeks ago I wrote you in regard to the status of the following described land, to-wit: NW $\frac{1}{4}$  of SW $\frac{1}{4}$  Sec. 35, Tp. 38 R. 23 E. and a forty in Sec. 3, Tp. 39 R. 23 E—some one bought the north half of the first forty mentioned. Said forty was deeded to David Mizell by the State on March 4th, 1891, and now I understand that some R. R. Co. is claiming it. The Co. also claim the forty in Tp. 39, which Mr. Mizell bought from Judge White, Agt. or Salesman, for the Trustees of the Internal Improvement Fund. Now, Mr. Mizell nor myself do not wish our purchase money back for the land, but we wish the land itself. I think the State should settle this matter and make us secure in our titles. Please let me hear from you fully in regard to this matter. I am

"Very truly your friend,

"BENJ. L. BLACKBURN."

The Secretary reported that the letter of Mr. Blackburn had been submitted to Judge Geo. P. Raney, General Counsel, who submitted his opinion, and the Secretary was instructed to reply to Mr. Blackburn as follows:

"Tallahassee, Fla, March 22, 1900.

"Mr. B. L. Blackburn,

"Owens, Fla.

"Dear Sir:—I am directed by the Board of Trustees of the I. I. Fund to say in reply to your letter of the 8th inst. to Gov. Bloxham, relating to NW $\frac{1}{4}$  of SW $\frac{1}{4}$  of Sec. 35, Tp. 38 S, R. 23 E, and a forty in Sec. 3, Tp. 39, R. 23, E, that the disposition of the Board is to defend the title made by it to these lands, and to suggest that you communicate with the Board should any suit, impairing the title made by the Trustees, be instituted.

"Yours very truly,

"W. M. McINTOSH, JR.,

"Secretary."

The Board then adjourned.

Attest:

W. M. McINTOSH, JR.,

Secretary.

President.

Tallahassee, Fla., April 17, 1900.

The Board met in the Executive Office.

Present: William D. Bloxham, Governor.

William H. Reynolds, Comptroller.

James B. Whitfield, State Treasurer.

William B. Lamar, Attorney General.

L. B. Wombwell, Commissioner of Agriculture.

The matter of the failure on the part of the Tallahassee South Eastern Railroad Company to comply with the terms of the resolution of the Board, adopted May 2nd, 1899, under which the deeds of conveyance of certain land were placed in escrow, was taken up and considered and the Secretary was directed to write Frederick K. Beach, of Batavia, Illinois, and R. C. Peters of Manistee, Michigan, separately, as follows:



"I am directed by the Board of Trustees of the Internal Improvement Fund of the State of Florida to call your especial attention to the obligation on the part of the Tallahassee South Eastern Railroad Company 'to complete its line of road from the present terminus to the Suwannee River without delay' and to remind you that that was the sole basis of the resolution of the Board of May 2nd, 1899, and the action of the Board thereunder in placing two deeds of conveyance in escrow. The speedy completion of said Railroad was the paramount object and purpose of said resolution, and for nearly twelve months the said Tallahassee South Eastern Railroad Company has failed and neglected to prosecute the work of construction; thereby defeating the main purpose of the Trustees and disregarding its obligation to complete the road 'to the Suwannee River without delay'. You are therefore required to show cause, if there be any, within thirty days from the date hereof, why the Board of Trustees should not withdraw the deeds of conveyance from escrow."

The following duly executed articles of agreement were ordered spread upon the minutes:

"Whereas, The Legislature of the State of Florida did, at its regular session held in the year A. D. One Thousand Eight Hundred and Ninety-nine, pass 'An Act to confer the power upon the Trustees of the Internal Improvement Fund to contract for the cutting of a canal from the St. Johns to the Indian River; and to grant swamp and overflowed lands for the cutting of said canal,' which said act provides that

"Whereas, The vast grants of land from the United States government to the State of Florida, known as swamp and overflowed land, were directly for the purpose of draining and reclaiming those lands; and

"Whereas, The Legislature of 1855, putting into effect the Constitution of 1838, designated for proper improvement the building of certain railroads and the cutting of a canal from the St. Johns to Indian River, to drain the alluvial lands of the St. Johns; and

"Whereas, All of these schemes have been carried out, except the cutting of the canal from the St. Johns to the Indian River; therefore,

*"Be it enacted by the Legislature of the State of Florida :*

*"That power is hereby conferred upon the Trustees of the Internal Improvement Fund to make a contract to cut such canal, and they are empowered to grant any swamp and overflowed lands, not already deeded, to this end, not to exceed six thousand acres (6,000) per mile for cutting such canal.*

*"Approved June 2, 1899."*

*"And Whereas, It is the purpose of the Trustees of the Internal Improvement Fund of the State of Florida to comply, as far as possible, with the wishes of the people as expressed by their representatives in the Legislature; therefore, it has been deemed best, in pursuance of the provisions of said act, to enter into the following Articles of Agreement :*

*"ARTICLES OF AGREEMENT made and entered into this the seventeenth day of April, A. D. One Thousand Nine Hundred, 1900, by and between J. N. Whitner, C. W. Goodrich, S. O. Chase and A. T. Rossitter, parties of the first part, and William D. Bloxham, Governor of Florida, William H. Reynolds, Comptroller, W. B. Lamar, Attorney General, J. B. Whitfield, State Treasurer and L. B. Wombwell, Commissioner of Agriculture of said State, and ex-officio, the Trustees of the Internal Improvement Fund of the State of Florida, as such Trustees, parties of the second part.*

*"WITNESSETH, That the parties of the first part, for themselves, their heirs, executors, administrators and assigns, jointly and severally agree and bind themselves unto the parties of the second part, and their successors, to undertake to cut a canal, at their own expense and charge, from the vicinity of Lake Washington, on the upper St. Johns River, to Indian River, for the purpose of connecting the overflow water of Lake Washington with the waters of Indian River and thereby draining and reclaiming the lands adjacent to the route of said canal and rendering the same fit for cultivation; said canal to be one hundred feet wide, but very shallow, making the bottom of the canal where it leaves Lake Washington level with the average stage of water in said Lake so that whenever said Lake is at the average height, or below the same, not a drop of water will be taken therefrom, or from the St. Johns River; said level*

to be determined and fixed by the State Engineer. The parties of the first part further agree that before the work of construction of the canal shall be commenced, suitable provision shall be made at the mouth of the canal, at the end thereof to Lake Washington, for the maintenance of the level thereof by the use of stone or other material of a permanent nature for the bottom and sides of the canal for such distance as may be deemed necessary, and that such work shall be done entirely under and in pursuance of the direction of the State Engineer who shall be appointed for that purpose by the parties of the second part; and it is expressly understood that the State Engineer so appointed shall have full power to make such requirements in relation thereto as, in his judgment, may be best, and that the State Engineer may also require the construction of such lock, or locks, or other means of controlling the flow of the waters of the canal as may, in his judgment, be necessary or prudent, so as to preclude the possibility of the lowering of the St. Johns River, or any of its tributaries at any time in the future, and to that end the State Engineer is fully empowered to prevent the construction of the canal if his directions are not fully carried out, and in that event all rights of the parties of the first part under this contract shall become null and void, unless otherwise directed by the parties of the second part.

**"IT IS EXPRESSLY UNDERSTOOD AND AGREED** that the work and enterprise of cutting said canal for the purpose of draining and reclaiming the adjacent land is to be begun, carried on and prosecuted under the personal direction and supervision of the State Engineer and a skillful and experienced engineer to be selected, provided, maintained and paid by the said parties of the first part; and the said parties of the first part are to have the right to cut said canal through any land which may belong to the said Improvement Fund. The parties of the first part further agree that they will not commence the work of constructing the canal until directed to do so by the State Engineer, and that they will follow his instructions as herein provided for; and that within six months from the date that the State Engineer authorizes the commencement of the work they will begin the actual work

cutting said canal, under the direction and approval of the State Engineer, and will complete the same within five years from the date hereof. The parties of the second part, for themselves and their successors, as such Trustees, do agree and bind themselves and their successors in the administration of said trust, that they will, and their successors shall, convey by proper deed to the parties of the first part, their heirs, executors, administrators or assigns, the then existing title of the State to six thousand acres of land for each mile of canal actually cut for the purpose of draining and reclaiming the adjacent land; said land to be selected from any land nearest the route of the canal which was granted to the State of Florida under the Act of Congress of September 28th, 1850, which has not been heretofore granted, conveyed or contracted to be conveyed; a deed of conveyance to be made when the canal is completed and reported upon by the State Engineer, and to include such lands as are available under the terms of this agreement.

"The parties of the second part hereby expressly reserve the unrestricted right and power, without notice, to enter upon and close the canal at any time when, in their judgment, there may be a violation, on the part of the parties of the first part, or any person acting for or under them, or their successors or assigns, of any of the terms or conditions of this agreement, or when, in their judgment, there is any menace to the navigation of the St Johns River, and to take such other or further action in relation thereto as, in the judgment of the parties of the second part, or their successors, may be deemed to be best to avoid or prevent any reduction in the waters of the St. Johns River, or any injury to the navigation of said River.

"IN TESTIMONY WHEREOF, the parties of the first part have hereunto subscribed their names and affixed their seals, and the said Trustees have hereunto subscribed their names and affixed their seals, and have caused the seal of the Department of Agriculture of the State of Florida to be hereunto affixed, at the Capitol, in the City



of Tallahassee, Florida, in duplicate, this seventeenth day of April, A. D. 1900.

"Signed, sealed and delivered  
in presence of

|                     |                              |
|---------------------|------------------------------|
|                     | J. N. WHITNER. (Seal.)       |
| WILLIAM BEARDALL.   | C. W. GOODRICH. (Seal.)      |
| B. W. HERNDON.      | S. O. CHASE. (Seal.)         |
|                     | W. D. BLOXHAM, (Seal.)       |
|                     | Governor.                    |
| W. M. McINTOSH, JR. | WM. H. REYNOLDS, (Seal.)     |
| JAS. H. RANDOLPH.   | Comptroller.                 |
|                     | W. B. LAMAR. (Seal.)         |
|                     | Attorney General.            |
| (SEAL)              | J. B. WHITFIELD. (Seal.)     |
|                     | State Treasurer.             |
|                     | L. B. WOMBWELL. (Seal.)      |
|                     | Commissioner of Agriculture. |

The Board then adjourned.

Attest:

W. M. McINTOSH, JR.,  
Secretary.

W. D. BLOXHAM,  
President.

Tallahassee, Fla., April 27, 1900.

The Board met in the Executive Office.

Present: William D. Bloxham, Governor.  
William H. Reynolds, Comptroller.  
James B. Whitfield, State Treasurer.  
William B. Lamar, Attorney General.  
L. B. Wombwell, Commissioner of Agriculture.

The Treasurer of the Board stated that he had purchased six (6) Madison County Bonds, numbered 21, 23, 32, 63, 65 and 110 of the denomination of five hundred dollars each, with coupon No. 13 on, for three thousand one hundred and fifty-three dollars and ninety-nine cents (\$3,153.99), and his action was approved. Said bonds and coupons were then presented and canceled.

The following resolutions were presented, adopted and a copy thereof ordered to be sent to H. S. Duval, Civil Engineer:

*"Resolved*, That H. S. Duval, Civil Engineer, be and is hereby appointed State Engineer to represent the Trustees as such State Engineer, under and in pursuance of the contract made and entered into on the 17th day of April, A. D. 1900, by and between J. N. Whitner, C. W. Goodrich, S. O. Chase and A. T. Rossiter, parties of the first part, and the Trustees of the Improvement Fund of the State of Florida, parties of the second part, providing for cutting of a canal from the vicinity of Lake Washington to the Indian River.

*"Resolved Further*, That the said H. S. Duval, as such State Engineer, shall and must keep the Trustees fully advised as to his acts and doings in the premises, and that no action shall be taken by him except with the full knowledge and consent of the Trustees, and that the absolute right to abrogate the appointment of the said H. S. Duval, as such State Engineer, at any time, is reserved to the Trustees to be exercised at their discretion.

*"Resolved Further*, That the compensation of the said State Engineer shall be fixed by the Trustees and shall be for such services as are actually rendered under and in pursuance of the order and directions which shall be given to him by the Trustees from time to time."

The Board then adjourned.

Attest:

W. M. McINTOSH, JR.,  
Secretary.

W. D. BLOXHAM,  
President.

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Tallahassee, Fla., May 4, 1900.

The Board met in the Executive Office.

Present: William D. Bloxham, Governor.  
William H. Reynolds, Comptroller.  
James B. Whitfield, State Treasurer.  
William B. Lamar, Attorney General.  
L. B. Wombwell, Commissioner of Agriculture.

The following bills were read and ordered paid: Jno. McDougall, Post Master, for postage for Salesman's Office, seventy-six dollars and forty-two cents (\$76.42); Weekly Tallahasseean, for blank warrants and township plats, eight dollars and fifty cents. (\$8.50).

The Board then adjourned.

Attest:

W. M. McINTOSH, JR.,

Secretary.

W. D. BLOXHAM,

President.

Tallahassee, Fla., June 1, 1900.

The Board met in the Executive Office.

Present: William D. Bloxham, Governor.

William H. Reynolds, Comptroller.

James B. Whitfield, State Treasurer.

William B. Lamar, Attorney General.

L. B. Wombwell, Commissioner of Agriculture.

The Treasurer of the Board stated that he had purchased five (5) Jefferson County Bonds, numbered 63, 70, 81, 106 and 118 of the denomination of Five Hundred Dollars each (\$500.00) and three Jefferson County Bonds, numbered 281, 286 and 196 of the denomination of One Hundred Dollars each, making a total of Two Thousand Eight Hundred Dollars (\$2,800.00) of said bonds, with coupon due July 1st, 1900, on, for Two Thousand Nine Hundred and Fifty-Four Dollars (\$2,954.00), and the action of the Treasurer was approved. Said Bonds and coupons were then canceled.

The Board then adjourned.

Attest:

W. M. McINTOSH, JR.,

Secretary.

W. D. BLOXHAM,

President.

Tallahassee, Fla., July 21, 1900.

The Board met in the Executive Office.

Present: William D. Bloxham, Governor.

William H. Reynolds, Comptroller.

James B. Whitfield, State Treasurer.

William B. Lamar, Attorney General.

L. B. Wombwell, Commissioner of Agriculture.

The following accounts were presented and ordered paid: Moses Shepard, Janitor for Salesman and Secretary from March 1st, 1899 to June 30th, 1900, 16 months, at \$4.00 per month, Sixty-four Dollars (\$64.00); John McDougall, Post Master, for postage for Salesman's Office, Eleven Dollars and Sixty Cents (\$11.60).

The Board then adjourned.

Attest:

W. M. McINTOSH, JR.,

Secretary.

W. D. BLOXHAM,

President.

Tallahassee, Fla., September 11, 1900.

The Board met in the Executive Office.

Present: William H. Reynolds, Comptroller.

James B. Whitfield, State Treasurer.

L. B. Wombwell, Commissioner of Agriculture.

The Governor being absent, the Comptroller was requested to preside.

The bill of The H. & W. B. Drew Co., for binding land list and railroad deeds, Nov. 7th, 1899, amounting to Seventeen Dollars and Forty-five cents (\$17.45) was ordered paid.

The Board then adjourned.

Attest:

W. M. McINTOSH, JR.,

Secretary.

\_\_\_\_\_  
President pro tem.

Tallahassee, Fla., October 18, 1900.

The Board met in the Executive Office.

Presents: William D. Bloxham, Governor.

William H. Reynolds, Comptroller.

James B. Whitfield, State Treasurer.

The account of John McDougall, Post Master, for postage for Salesman's Office, amounting to twenty-two dollars and fifty cents (\$22.50) was presented and ordered paid.



The Board then adjourned.

Attest:

W. M. McINTOSH, JR.,  
Secretary.

W. D. BLOXHAM,  
President.

Tallahassee, Fla., October 24, 1900.

The Board met in the Executive Office.

Present: William D. Bloxham, Governor.

William H. Reynolds, Comptroller.

James B. Whitfield, State Treasurer.

The following resolution was read and adopted:

"Whereas, The Tallahassee South Eastern Railroad Company did, on May 2nd, A. D. 1899, promise 'to complete its line of road from the present terminus to the Suwannee River without delay.'

"And Whereas, Such promise on the part of said Railroad Company was the sole basis of the resolution of this Board of May 2nd, A. D. 1899, and the action of the Board thereunder in placing two deeds of conveyance of land in escrow in the First National Bank of Tallahassee.

"And Whereas, The said Tallahassee South Eastern Railroad Company has utterly failed to comply with its promise for the period of nearly eighteen months,

"And Whereas, There has been an absolute failure of consideration for the conveyance of the lands embraced in the deeds so placed in escrow.

"Therefore, Be It Resolved, by the Board of Trustees of the Internal Improvement Fund of the State of Florida that the resolution of the Board of May 2nd, 1899, be and the same is, hereby rescinded and declared to be null and void, and the Secretary of the Board is hereby directed to furnish a copy hereof to the President of the First National Bank of the City of Tallahassee, and the President of this Board is directed to at once demand, receive and receipt for the two deeds of conveyance placed in escrow in said Bank and to present said deeds to the Board to be destroyed in open session thereof.

"Resolved Further, That upon the delivery of said deeds of conveyance to the President of this Board, as herein provided, the First National Bank of Tallahassee shall be fully relieved of all responsibility for the same, and

the receipt for said deeds given by the President of said Bank shall be surrendered to him.

The Board then adjourned.

Attest:

W. M. McINTOSH, JR.,

Secretary.

\_\_\_\_\_,  
President.

Tallahassee, Fla., November 16, 1900.

The Board met in the Executive Office.

Present: William D. Bloxham, Governor.

William H. Reynolds, Comptroller.

James B. Whitfield, State Treasurer.

L. B. Wombwell, Commissioner of Agriculture.

A communication from F. H. Hafer, Vice President of the Etoniah Canal and Drainage Company, requesting the Trustees to designate an Engineer to inspect the Canal cut by said Company, was presented and the Secretary was instructed to write H. S. Duval, C. E., and ascertain his charge for such inspection and when he could perform the work.

The following letter from Hon. J. N. Whitner, accompanied by a map of the route of the proposed canal from the St. Johns to the Indian River, was read and ordered spread upon the minutes:

"Sanford, Fla., Oct. 30, 1900.

"Gov. W. D. Bloxham.

"Tallahassee, Fla.

"Dear Sir:—I enclose herewith map of our proposed canal from St. Johns to Indian River, which you will please present to the Board of I. I. Trustees, for reference to your Engineer.

"I am glad to say to you that we are reconciled to the precautions you took in drawing contract, and, as an old friend and admirer of yours, I am pleased to know that it reflects credit upon you, showing as it does, a statesman-like care for all interests under your care. I have heard nothing but favorable criticism of you in the matter.

"The U. S. Engineers have taken notice and the end can not yet be predicted, but we hope for a good ending.

"Yours very truly,

"J. N. WHITNER."

It was ordered that the Secretary reply to Hon. J. N. Whitner as follows:

"Hon. J. N. Whitner,

"Sanford, Fla.

"Dear Sir:—Your letter enclosing map of the proposed route of the canal from the St. Johns to Indian River was presented to the Board of Trustees at a meeting held this day, and I was directed to acknowledge receipt thereof and to say that as you state that 'The U. S. Engineers have taken notice and the end can not yet be predicted,' it is presumed that you expect no action, on the part of the Board, until the findings of the U. S. Engineers are known.

"Yours very truly,

"W. M. McINTOSH, JR.,

"Secretary Board of Trustees."

The Board then adjourned.

Attest:

W. M. McINTOSH, JR.,

Secretary.

W. D. BLOXHAM,

President.

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Tallahassee, Fla., November 28, 1900.

The Board met in the Executive Office.

Present: William D. Bloxham, Governor.

William H. Reynolds, Comptroller.

James B. Whitfield, State Treasurer.

William B. Lamar, Attorney General.

L. B. Wombwell, Commissioner of Agriculture.

A communication from Judge B. S. Liddon enclosing a bill for \$29.75, expenses of trip to Jacksonville *in re* Trustees I. I. Fund vs. F. C. & P. R. R. Co. was presented to the Board and after consideration it was decided that the Treasurer of the Board be instructed to pay this bill and call Judge Liddon's attention to the resolution of the Board authorizing the use of the name of the Trustees in which it was stated that the Trustees were not to become liable for any part of the costs, expenses or fees in connection with the proceedings to be conducted in the name of the Trustees, but in reality in the interest of his clients, Dr. A. B. Hawkins et als.

The account of Judge Geo. P. Raney for one thousand dollars for professional services *in re* suit of Trustees vs. F. C. & P. R. R. successor to F. A. and G. C. and Florida Railroads which was begun during the administration of Governor Perry and recently dismissed was ordered paid. An account for one hundred and ninety dollars for services rendered by Mrs. S. B. Holland in copying the unpublished minutes of the Board beginning with 1855, for publication, was ordered paid. The following bills were also ordered paid: W. M. McIntosh, Jr., Secretary and Treasurer, for express charges, \$3.30; First National Bank of Tallahassee for rent of box in vault to June 1st, 1901, \$10.00.

The Board then adjourned.

Attest:

|                      |                |
|----------------------|----------------|
| W. M. McINTOSH, JR., | W. D. BLOXHAM, |
| Secretary.           | President.     |

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Tallahassee, Fla., December 14, 1900.

The Board met in the Executive Office.

Present: William D. Bloxham, Governor.  
 William H. Reynolds, Comptroller.  
 James B. Whitfield, State Treasurer.  
 William B. Lamar, Attorney General.

The following communication was read and ordered spread upon the minutes:

"Dec. 8th, 1900.

"To President Bd. Trustees Internal Im. Fund.

"Dear Sir:—Please make deed to Fla. East Coast Canal and Transportation Company for about 16,200 acres of lands in Township 26 S of Range 35 and 36 as per enclosed slip. The Company desire these lands to deed to the National Ramie Company for the purpose of developing the ramie industry which will be of great benefit to the State, and especially to that section, and intend to let said Company have same for a small consideration in order to encourage this valuable industry.

"Your early action in this matter will greatly oblige

"Yours truly,

"H. GAILLARD.  
 V. "P. & Treas."

| After considering the nature of the above application it was ordered that the Salesman prepare a deed of conveyance to the Florida Coast Line Canal and Transportation Company of Section 2, 3, 4, 5, 8, 9, 10, 11, West  $\frac{1}{2}$  12, West  $\frac{1}{2}$  13, 14, 15, East  $\frac{1}{2}$  17, 21, 22, 23, 24, 25, 26, 27, 28, NE $\frac{1}{4}$  and E $\frac{1}{2}$  of SE $\frac{1}{4}$  33, 34, 35 and 36 in Township 26 South of Range 35 East, and Sections 30 and 31 in township 26 South of range 36 East, containing 16,160.31 acres.

The following resolution was adopted:

*"Resolved*, That the Secretary of the Board be and he is hereby directed to have the minutes of the Board, beginning with 1855, which have not been published, printed in pamphlet form, and that he prepare a concise history of the origin and important acts of the Trustees and print the same as a part of the pamphlet of minutes therein authorized to be published."

The following accounts were presented and ordered paid: Weekly Tallahasseean, for receipt book and blank warrants for the Secretary and Treasurer of the Board, four dollars and fifty cents; Moses Shepard, for services as Janitor for offices of Salesman and Secretary from July 1st to November 30th, 1900, twenty dollars.

The Board then adjourned.

Attest:

W. M. McINTOSH, JR.,

Secretary.

W. D. BLOXHAM,

President.

Tallahassee, Fla., December 18, 1900.

The Board met in the Executive Office.

Present: William D. Bloxham, Governor.

William H. Reynolds, Comptroller.

James B. Whitfield, State Treasurer.

William B. Lamar, Attorney General.

The following communication was read and ordered spread upon the minutes:

"Florida East Coast Railway.

"Jacksonville, Fla., Dec. 15, 1900.

"At a called meeting of the Directors of the Florida East Coast Drainage and Sugar Co. held this day on motion it was ordered that the Board of Trustees of the In-



ternal Improvement Fund be requested to extend the time for the active work of this company, and that the Treasurer, Guy R. Pride and Secretary, R. E. Rose, be directed to visit Tallahassee and request the said extension.

"R. E. ROSE,  
"Secretary."

"Extract from Minutes Dec. 15.  
1900.

"R. E. ROSE,

"Secretary."

Messrs. Guy R. Pride and R. E. Rose appeared before the Board and requested that the application of the Florida East Coast Drainage and Sugar Company be granted, and that the extension be made for two years.

After considering the request for an extension of time it was

"*Resolved*, That the time for the beginning of the actual work of draining the lands reserved for the Florida East Coast Drainage and Sugar Company be and is hereby extended for two years from this date, and that the reservation of the territory shall be likewise extended for two years from this date."

"*Whereas*, It appears that all of the outstanding bonds of the City of Jacksonville payable under the act of for the relief of bonded counties have been paid, therefore, it is

"Ordered that the Treasurer of the Board re-distribute among the several counties entitled thereto the amount on hand December 31st, 1900, of the funds distributed to the City of Jacksonville."

The Board then adjourned.

Attest:

W. M. McINTOSH, JR.,

W. D. BLOXHAM,

Secretary.

President.

Tallahassee, Fla., January 12, 1901.

The Board met in the Executive Office.

Present: William S. Jennings, Governor

William H. Reynolds, Comptroller.

J. B. Whitfield, State Treasurer.

W. R. Lamar, Attorney General.

B. F. McLin, Commissioner of Agriculture.

Col. R. W. Williams and Chief Engineer Nobles appeared before the Board on behalf of the Tallahassee South Eastern Railroad Company and requested the Board to take such action as would assure the delivery of the deeds of conveyance of the lands in Taylor and Lafayette Counties upon the completion of the road from Tallahassee to the Suwannee River.

After a full discussion of the matter the following resolution was adopted:

Resolved, by the Board of Trustees of the Internal Improvement Fund of the State of Florida, That, upon the completion of the line of Railroad from Tallahassee to the Suwannee River, by the Tallahassee South Eastern Railroad Company, in accordance with its charter, by the thirty-first day of May, A. D. Nineteen Hundred and One (1901), the one hundred and ten thousand acres of land in Taylor and Lafayette Counties, held for a railroad through said counties, will be conveyed by deed of this Board to the said Tallahassee South Eastern Railroad Company, and to further the construction of the road the Board will convey said land as follows: One-third of said land upon the completion of the railroad to Perry, and one-third of said land when the railroad is completed to a point half-way between Perry and the Suwannee River, and the remaining one-third of said land when the railroad is completed to the Suwannee River.

The Board then adjourned.

W. S. JENNINGS,  
President.

Attest:

W. M. McINTOSH, JR.,  
Secretary.

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Tallahassee, Fla., January 14, 1901.

The Board met in the Executive Office.

Present: William S. Jennings, Governor.  
William H. Reynolds, Comptroller.  
J. B. Whitfield, State Treasurer.  
W. B. Lamar, Attorney-General.  
B. E. McLin, Commissioner of Agriculture.

Mr. R. L. Bennett, Vice-President and General Manager of the Tallahassee South Eastern Railroad Company, appeared before the Board and stated that he had perfected arrangements for securing the money to build said railroad based upon the representation that the deed to the lands in Taylor County would be delivered when the road is completed from the City of Tallahassee to Perry, and requested the Board to pass a resolution to that end, promising that in the event of the adoption of such resolution that work would be commenced during the present month with an adequate force of hands to complete the road from Tallahassee to Perry on or before May 2nd, 1901.

The following resolution was adopted:

Resolved, That if the Tallahassee South Eastern Railroad Company shall commence the construction of its line of railroad, connecting the City of Tallahassee with the town of Perry, within the present month with sufficient force of hands and shall continue work without stopping and complete the same to Perry, Taylor County, as well as into the City of Tallahassee, by the 2nd day of May, A. D. 1901, the Board will deliver the deed of conveyance, No. 15,481, for 91,718.28 acres, of land held in reserve in Taylor county to the said Tallahassee South Eastern Railroad Company.

Resolved further, That the railroad must be constructed in all respects in accordance with the terms of the Charter to the Tallahassee South Eastern Railroad Company.

It appearing that the Florida Land and Improvement Company has reconveyed to the Trustees of the Internal Improvement Fund of the State of Florida two hundred and forty acres of land on account of prior conveyances by the Trustees to actual settlers, therefore be it

Resolved, That the salesman be and is hereby directed to prepare and have executed a deed of conveyance of two hundred and forty acres of land in sections 29 and 31, township 29, south, of range 26 east, to the Florida Land and Improvement Company in lieu of the land reconveyed by said Company to the Trustees of the Internal Improvement Fund of the State of Florida for and on account of actual settlers.



The Board then adjourned.

Attest:

W. M. McINTOSH, JR.,  
Secretary.

W. S. JENNINGS,  
President.

Tallahassee, Fla., January 23, 1901.

The Board met in the Executive Office.

Present: William S. Jennings, Governor.  
William H. Reynolds, Comptroller.  
J. B. Whitfield, State Treasurer.  
W. B. Lamar, Attorney-General.  
B. E. McLin, Commissioner of Agriculture.

A communication having been received from Hon. Geo. P. Raney stating that it has been the custom of the Board to pay him an annual retainer and requesting that the Board take such action in the premises as may be proper, it was ordered that the Secretary of the Board notify the Hon. Geo. P. Raney that the Board will not retain a general counsel, but will engage the services of counsel as circumstances demand. The Treasurer of the Board presented several Columbia County Bonds and a number of past due coupons detached from various bonds issued by said County and asked for instructions as to the purchase of the coupons under the act for the relief of bonded counties. After due consideration it was decided to adhere to the policy of the Board to purchase bonds only, by paying par and any accumulated interest thereon, which was represented by unmatured coupons attached thereto and the Treasurer was directed to return the past due coupons, with the information that they could not be purchased.

The Board then adjourned.

Attest:

W. M. McINTOSH, JR.,  
Secretary.

W. S. JENNINGS,  
President.

Tallahassee, Fla., January 24, 1901.

The Board met in the Executive Office.

Present: William S. Jennings, Governor.

William H. Reynolds, Comptroller.

J. B. Whitfield, State Treasurer.

W. B. Lamar, Attorney-General.

B. E. McLin, Commissioner of Agriculture.

The following communication from Mr. Perry M. Colson was presented to the Board:

"Tallahassee, Fla., Jany. 24, 1901.

To Board Trustees I. I. Fund:

You hold considerable lands in Taylor and Lafayette counties and a part of it has pine timber on it and the balance is hammock and cedar lands. I would like to buy some of said lands, to wit: the part that has pine timber on it, but the timber is very small and scattering and I cannot use it except at a reduced price, and if you will refer to Mr. Hough's report of said lands you can see that my statement of same is correct.

If you will sell me what lands I will select in Tp. 8, 9 and 10 of R. 10 and 11 at 75c per acre I hereby agree to take whole sections or all there may be in a section and will deposit \$1,000.00 with your Board this morning and ask you to give me 20 days *only* to file my list and pay cash for same.

PERRY M. COLSON."

After considering the foregoing proposition it was resolved that ten thousand acres or more of said land will be sold at one dollar per acre, provided that the purchaser will take all the land in each section in which any of the land applied for is located. The Secretary of the Board was directed to apply to the County Treasurer and Auditor for a complete certified list of all the outstanding bonds of each of the several counties entitled to the benefits of the Act of 1883, Chapter 3474 of the Laws of Florida, commonly known as the Act for the relief of bonded counties.

The Board then adjourned.

W. S. JENNINGS, Governor,

President.

Attest:

W. M. McINTOSH, JR.,

Secretary.

Tallahassee, Fla., February 2, 1901.

The Board met in the Executive Office.

Present: William S. Jennings, Governor.

William H. Reynolds, Comptroller.

J. B. Whitfield, State Treasurer.

W. B. Lamar, Attorney-General.

B. E. McLin, Commissioner of Agriculture.

It appearing that under the terms of the resolution of the Board of January 14th, 1901, the Tallahassee South Eastern Railroad Company was required to commence the work of construction with a full force of hands during the month of January, A. D. 1901, and there being no information in possession of the Board to show that the said Railroad Company had been or was proceeding in good faith under said resolution it was

Resolved, That Governor W. S. Jennings, President of the Board of Trustees, be and he is hereby authorized to employ a suitable Agent or Engineer to inspect and report upon the operations of the Tallahassee South Eastern Railroad Company and to accompany his report with information as to when and where the work was actually commenced, number of hands employed and the nature of the work performed since the adoption of the resolution of January 14th, 1901, and what work is now being done on said railroad.

The account of C. H. Dickinson, Agent, amounting to \$102.50 for one Rem-Sho Typewriter for the Salesman's Office was presented and ordered paid.

The Board then adjourned.

W. S. JENNINGS, Governor,  
President.

Attest:

W. M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., February 7, 1901.

The Board met in the Executive Office.

Present: William S. Jennings, Governor.

William H. Reynolds, Comptroller.

J. B. Whitfield, State Treasurer.

W. B. Lamar, Attorney-General.

B. E. McLin, Commissioner of Agriculture.

Hon. W. A. Blount and Hon. Fred. T. Myers appeared before the Board and discussed the status of railroad land grants.

The Treasurer of the Board presented four Leon county bonds numbered 67, 88, 99 and 105 of the denomination of five hundred dollars each, with coupons No. 17, 18 and 19 attached to Nos. 88 and 99 and coupons 18 and 19 attached to Nos. 67 and 105, for which he had paid the principal and interest, amounting in the aggregate to two thousand one hundred and eighty dollars, and the bonds were cancelled in the presence of the Board.

The Board then adjourned.

W. S. JENNINGS, Governor,

Attest:

President.

W. M. McINTOSH, JR.,

Secretary.

Tallahassee, Fla., Feby. 15, 1901.

The Board met in the Executive Office.

Present: William S. Jennings, Governor.

William H. Reynolds, Comptroller.

J. B. Whitfield, State Treasurer.

W. B. Lamar, Attorney-General.

B. E. McLin, Commissioner of Agriculture.

Judge George P. Raney appeared before the Board on behalf of the Florida East Coast Railway Company and presented the following petition:

To the Honorable Board of Trustees of the Internal Improvement Fund of the State of Florida.

The Florida East Coast Railway Company, a corporation organized and existing under the laws of the State of Florida, respectfully asks to have reserved for and conveyed to it the land known and described as the unsurveyed part of section thirty-one, township two south, range twenty-nine east, in Duval county, Florida.

It is respectfully represented that the said Florida East Coast Railway Company has by purchase duly succeeded to all the rights, privileges and franchises of the Jacksonville and Atlantic Railway Company, also a corporation, including all lands granted, or to be granted, to said company by the said Board of Trustees of the In-

ternal Improvement Fund; that the said Jacksonville and Atlantic Railway Company has heretofore furnished satisfactory proof that the entire line of road from South Jacksonville to Pablo Beach in said Duval county was completed with the plans and specifications of construction agreed upon between said Board of Trustees of the Internal Improvement Fund and Board of Directors of said Company, as appears from the deed from said Board of Trustees of the Internal Improvement Fund to said Jacksonville and Atlantic Railway Company, being deed Number 14,894; that the said Florida East Coast Railway Company has recently expended large sums of money in the reconstruction and improvement of said line of road and is now desirous of expending yet further sums in the improvement of said road and property; that the line of road is now and heretofore has been located on and across said unsurveyed section thirty-one, and on account of the close proximity of said section to said road it is particularly fitted for the special purposes of said company.

It is further represented that there is a deficiency in the amount of land heretofore granted to said Jacksonville and Atlantic Railway Company as appears from said deed from the Board of Trustees of the Internal Improvement Fund to the said Jacksonville and Atlantic Railway Company.

It is, therefore, respectfully submitted that in consideration of the premises the said Florida East Coast Railway Company is entitled to the land asked for, and it is hereby prayed that the same may be reserved for and conveyed to said company.

Dated at Jacksonville, Florida, this 12th day of February, A. D. 1901.

Respectfully submitted,

FLORIDA EAST COAST RAILWAY COMPANY.

By J. R. Parrott,

Vice-President and General Manager.

After considering the petition and it appearing that the unsurveyed part of said section thirty-one, in township two south, of range twenty-nine east, containing about 300 acres of land, was within six miles of the completed line of the Jacksonville and Atlantic Railroad and that there was sufficient land due on account of said railroad in



the odd sections under the general grant of the alternate sections of land lying within six miles of railroads under the Internal Improvement acts to cover the land applied for, it was ordered that the Salesman prepare and have executed a deed of conveyance of the unsurveyed part of section thirty-one in township two south, of range twenty-nine east, to the Florida East Coast Railway Company, the successor of the Jacksonville and Atlantic Railroad Company.

The report of J. W. Bushnell, who was appointed under the resolution of the Board of Feb. 2d, 1901, to examine and report upon the work of construction of the proposed extension of the Tallahassee South Eastern Railroad, was presented and ordered spread upon the minutes.

Tallahassee, Fla., Feb. 7th, 1901.

Hon. W. S. Jennings

Governor of Florida,

and to the Honorable Board of Trustees of the Internal Improvement Fund of the State of Florida.

Sirs:—I have the honor to report in the matter of the Tallahassee South Eastern Railroad, under instructions from your Honorable Board, and appointment so to do by your Excellency, that after an examination of the line as partially constructed and located from Thomas City to Perry, upon the survey and location of the said railroad, that ten miles lying immediately east from Thomas City has been graded, and find the grade in very good shape, notwithstanding its having been done and completed for several years, the condition of same being such that very little work would be required to put the road bed in a condition to lay the rails. The end of this grade reaches Aucilla river, from which point to Perry, a distance of twenty miles, nothing has been done in the matter of construction except the felling of a few trees at creek crossings. The engineer now on this work will probably complete the location of a line this week, as I found they were on Monday last about five miles from Perry; however there has been nothing done on this portion of the line, Thomas City to Perry, in the construction, worth mentioning, except the ten miles above mentioned which is graded.

I estimate to complete this thirty miles, Thomas City to Perry, it will require not less than 125 to 150 men cutting cross-ties, and at least 300 men to grade the twenty miles from the Aucilla river to Perry, also a right-of-way force, and a track-laying and trestle forces, which would, in my judgment, altogether require a force of not less than 500 men to complete the construction of the road by the 2nd day of May next.

Respectfully submitted,

J. W. BUSHNELL,

The following resolution was presented and adopted:

Whereas, It appears from a communication addressed to the Commissioner of Agriculture, on behalf of some of the minority stockholders of the Disston Land Company, that the Disston Land Company claims that it has acquired the right from the Atlantic and Gulf Coast Canal and Okeechobee Land Company to nine hundred thousand acres of land which it is alleged is "being held in reesrve for the canal company, or its assignee, the Disston Land Company," under the amended drainage contract executed on August 17th, 1888, between the Atlantic and Gulf Coast Canal and Okeechobee Land Company and the Trustees of the Internal Improvement Fund of the State of Florida, in pursuance of an act of the Legislature of the State of Florida, approved June 2nd, 1887, Chapter 3788 of the Laws of Florida,

And Whereas, The said Atlantic and Gulf Coast Canal and Okeechobee Land Company is not entitled to receive conveyances of land from the Trustees of the Internal Improvement Fund of the State of Florida, for the nine hundred thousand acres of land as claimed, nor is there any such reservation of land for the benefit of said company, or its successors or assigns.

And Whereas, It appears from an advertisement appearing in the public press of this State that John M. Lee, Special Master in Chancery in a cause pending before the judge of the Seventh Judicial Circuit of the State of Florida, wherein the Columbia Avenue Savings Fund, Safe Deposit, Title and Trust Company of Philadelphia is complainant and the Disston Land Company, a corporation existing under the laws of the State of Florida, is respondent, will offer for sale "all lands that are to be hereafter deeded to the defendant Company by the State of Florida."

And Whereas, It is believed that the lands so referred to by the Special Master are the 900,000 acres of land claimed by the Disston Land Company as "being held in reserve for the canal company or its assignee, the Disston Land Company."

And Whereas, It is the desire of the Board to warn prospective purchasers at the sale aforesaid and thereby save them from the loss of money,

Therefore be it resolved by the Board of Trustees of the Internal Improvement Fund of the State of Florida, That John M. Lee, Special Master in the cause set forth in the preamble to these resolutions, be at once notified that the claim of the Disston Land Company that 900,000 acres of land is "being held in reserve for the canal company or its assignee, the Disston Land Company," is not true in so far as it relates to any such reservation by this Board, or any other Board acting under and in pursuance of the contract of August 17th, 1888, executed by and between the Atlantic and Gulf Coast Canal and Okechohee Land Company and the Board of Trustees of the Internal Improvement Fund of the State of Florida, and that the said John M. Lee, Special Master as aforesaid, be and he is hereby requested to read these resolutions and the preamble thereto at the time he offers to sell "all lands that are to be hereafter deeded to the defendant Company by the State of Florida," as advertised by him.

Resolved further, That a copy hereof, properly certified by the Secretary of this Board, be forwarded to the Sheriff of Osceola county, and that said Sheriff be and he is hereby directed to forthwith serve the same upon the said John M. Lee, Special Master, etc., and make the return thereof to Governor William S. Jennings, the President of this Board.

The Treasurer presented six (6) Bradford county bonds, numbered 65, 66, 67, 68, 69 and 70, of the denomination of \$250.00 each, without coupons, amounting to fifteen hundred dollars, and he was authorized to purchase the same at par.

The following bills were read and ordered paid:

J. W. Bushnell, for examination of the Tallahassee South Eastern Railroad, fifty dollars, and for expenses of such examination nineteen dollars, making a total of sixty-nine dollars (\$69.00).

The Weekly Tallahasseean for publishing the report of the Secretary and Treasurer of the Board for the years 1899 and 1900, twenty-nine and 10-100 dollars (\$29.10-100).

The Board then adjourned.

W. S. JENNINGS,  
President.

Attest:

W. M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., February 23, 1901.

The Board met in the Executive Office.

Present: William S. Jennings, Governor.  
William H. Reynolds, Comptroller.  
J. B. Whitfield, State Treasurer.  
B. E. McLin, Commissioner of Agriculture.

The Governor presented the following certified copy of a resolution adopted by the Board on the 15th day of February, 1901, with the return of the Sheriff endorsed thereon and it was ordered that the same be entered in the minutes of the Board and that the original be filed in the office of the Secretary of the Board.

Whereas, It appears from a communication addressed to the Commissioner of Agriculture, on behalf of some of the minority stockholders of the Disston Land Company, that the Disston Land Company claims that it has acquired the right from the Atlantic and Gulf Coast Canal and Okeechobee Land Company to nine hundred thousand acres of land which it is alleged is "being held in reserve for the canal company, or its assignee, the Disston Land Company," under the amended drainage contract executed on August 17th, 1888, between the Atlantic and Gulf Coast Canal and Okeechobee Land Company and the Trustees of the Internal Improvement Fund of the State of Florida, in pursuance of an act of the Legislature of the State of Florida approved June 2nd, 1887, Chapter 3788 of the Laws of Florida.

And Whereas, The said Atlantic and Gulf Coast Canal and Okeechobee Land Company is not entitled to receive conveyances of land from the Trustees of the Internal Improvement Fund of the State of Florida for the nine hundred thousand acres of land as claimed nor is there

any such reservation of land for the benefit of said company, or its successors or assigns;

And Whereas, It appears from an advertisement appearing in the public press of this State that John M. Lee, Special Master in Chancery in a cause pending before the Judge of the Seventh Judicial Circuit of the State of Florida, wherein the Columbia Avenue Savings Fund, Safe Deposit, Title and Trust Company of Philadelphia is complainant and the Disston Land Company, a corporation existing under the Laws of the State of Florida, is respondent, will offer for sale "all lands that are to be hereafter deeded to the defendant company by the State of Florida."

And Whereas, It is believed that the lands so referred to by the Special Master are the 900,000 acres of land claimed by the Disston Land Company as "being held in reserve for the Canal Company or its assignee, the Disston Land Company."

And Whereas, It is the desire of the Board to warn prospective purchasers at the sale aforesaid and thereby save them from the loss of money;

Therefore Be it Resolved by the Board of Trustees of the Internal Improvement Fund of the State of Florida, That John M. Lee, Special Master, in the cause set forth in the preamble to these resolutions, be at once notified that the claim of the Disston Land Company that 900,000 acres of land is "being held in reserve for the Canal Company, or its assignee, the Disston Land Company," is not true in so far as relates to any such reservation by this Board or any other board acting under and in pursuance of the contract of August 17th, 1888, executed by and between the Atlantic and Gulf Coast Canal and Okeechobee Land Company and the Board of Trustees of the Internal Improvement Fund of the State of Florida, and that the said John M. Lee, Special Master, as aforesaid, be and he is hereby requested to read these resolutions and the preamble thereto at the time he offers to sell "all lands that are to be hereafter deeded to the defendant Company by the State of Florida," as advertised by him.

Resolved further, That a copy hereof, properly certified by the Secretary of this Board, be forwarded to the sheriff of Osceola county, and that said sheriff be and he is hereby directed to forthwith serve the same upon the said John M. Lee, Special Master, etc., and make due return thereof



to Governor William S. Jennings, the President of this Board.

I do hereby certify that the foregoing pages numbered 1 and 2 contain a true and correct copy of a resolution adopted by the Board of Trustees of the Internal Improvement Fund of the State of Florida at a meeting of said Board held on the 15th day of February, A. D. 1901.

In Testimony Whereof, I have hereunto set my hand and (Seal.) the official seal of the Board of Trustees of the Internal Improvement Fund of the State of Florida this sixteenth day of February, A. D. 1901.

W. M. McINTOSH, JR.,

Secretary Board of Trustees I. I. Fund of Florida.

Received this notice the 18th day of February, A. D. 1901, and executed the same on the 18th day of February, 1901, by delivering to John M. Lee a true copy of the within at the same time reading to him the original this 18th day of February, A. D. 1901.

C. F. PREVATT,

Sheriff Osceola County, Fla.

Sheriff's Cost.

Executing Notice and Re., \$1.50.

In order that the purpose of the Board in serving notice on innocent purchasers at the sale might be more fully accomplished the Governor was requested to direct C. F. Prevatt, Sheriff of Osceola county, to read or cause to be read in public at the place of sale immediately after the notice of sale is read by J. M. Lee, Master, a copy of the resolution of February 15th, 1901.

The Board then adjourned.

W. S. JENNINGS, Governor,

Attest:

President.

W. M. McINTOSH, JR.,

Secretary.

Tallahassee, Fla., March 2, 1901.

The Board met in the Executive Office.

Present: W. S. Jennings, Governor.

W. H. Reynolds, Comptroller.

J. B. Whitfield, Treasurer.

B. E. McLin, Commissioner of Agriculture.

The Salesman presented an account of John McDougall, Postmaster, for stamped envelopes and postage for his office amounting to forty-two dollars and forty-four cents (\$42.44) and said account was ordered paid.

The Board then adjourned.

W. S. JENNINGS, Governor,  
President.

Attest:

W. M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., March 8, 1901.

The Board met in the Executive Office.

Present: Wm. S. Jennings, Governor.

W. H. Reynolds, Comptroller.

J. B. Whitfield, State Treasurer.

B. E. McLin, Commissioner of Agriculture.

The following communication from Hon. F. A. Hendry was read and ordered spread upon the minutes:

Fort Myers, Fla., Feb. 25, 1901..

To the Trustees I. I. F., Tallahassee, Fla.:

Gentlemen: Your records show that some years ago your board ordered the closing of the Okeechobee drainage canal leading from Lake Hickpochee to the Caloosahatchee river. The purpose of such order was to check or lessen the volume of water which was at the time increasing and threatening the inundation of the lower valley of the Caloosahatchee river. The conditions to-day are precisely as contemplated. That is the same need for closing the canal exists, and the same dread and fear of inundation exists. The closing of this canal together with a levee extending from the high land on the south side would effectually give the protection desired and effectually reclaim some 25,000 acres of very fine sugar lands, which we hope ere long to see in great demand in our State. It would be a great satisfaction and relief to the residents along the valley of the river and the whole country if your Honorable Board would authorize such work of leveeing in addition to the closing of the canal previously prayed for. I believe such action on the part of the trustees would result in great good to the State.

I have the honor to be your obedient servant.

F. A. HENDRY.

The Secretary was directed to acknowledge the receipt of the foregoing, and to say to Capt. Hendry that the trustees will give the matter the most careful consideration and would appreciate any assistance, or suggestions he might make, looking to the solution of the problem presented.

Judge H. C. Turner appeared before the Board on behalf of the West Coast Railway Company, and presented the following plans and specifications showing the details of construction of said company's railroad:

At a meeting duly called for the purpose of considering the details of construction of the railroad of the West Coast Railway Company, held this the seventeenth day of March, A. D. 1901, at Quitman, Georgia, at which meeting the following directors were present:

R. C. McIntosh, F. J. Spain, J. O. Morton, E. A. Jelks, and S. S. Rountree, being a quorum of the Board, the following preamble and resolution were unanimously passed:

The Board of Directors of the West Coast Railway Company have fixed for the construction of the Company's railroad the following plans and specifications to-wit:

Maximum grade to be one per cent. cuts to be 16 feet at grade line, embankments to be twelve feet on the crown.

The slope to both cuts and embankments to be regulated by the class of matériel where cuts or embankments are made, usually one and a half to one slope to embankments and one half to one in cuts.

Crossties seven by nine, all heart, pine or cypress, eight and one-half feet long.

Bridges to have 12 inch by 12 inch caps, on four pile bents, 8 inch by 16 inch stringers two under each rail, 6 inch by 8 inches, guard rail and 7 inch by 9 inch bridge ties ten feet long.

Steel rails to weigh fifty six pounds to the lineal yard, fastened with 24 inch heavy angle bars, four standard Harvey grip bolts to each joint and spiked to the ties with nine sixteen inch by 5½ inch soft steel pikes.

Gauge to be the regular standard in width.

Resolved, That said plans and specifications be submitted to the Trustees of the Internal Improvement Fund of Florida, for their approval, with a view to such aid, benefit, land or property as may be afforded by the laws of said State of Florida, from said Internal Improvement Fund.

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I, C. T. Tillman, Secretary and Treasurer of the West Coast Railway Company, certify that the foregoing writing is a true and correct extract from the minutes of a meeting of the Directors of said corporation held this day. In Testimony Whereof, I have hereto set my hand and the temporary seal of said corporation, no regular seal having yet been adopted by said Directors.

This March the 7th, 1901.

(Seal.)

C. T. TILLMAN,  
Secretary and Treasurer.

State of Georgia, {  
Brooks County. }

To the Honorable Trustees of the Internal Improvement Fund of Florida:

The undersigned, H. C. McCrary, respectfully certifies that he is a civil engineer of fourteen years experience, and that he had recently been engaged in the survey of the railroad route of the West Coast Railway Company of Florida; that he has examined the plans and specifications for the construction of said railroad fixed by the directors of said company, and that such details of construction are recommended without reserve.

This the 7th March, 1901.

H. C. McCRARY, C. E.

The following resolution was then adopted:

Resolved, That the foregoing plans and specifications showing the details of construction adopted by the West Coast Railway Company, be and the same are hereby approved.

The Governor presented the following copy of the resolution adopted on the 15th day of February, 1901, which had been read at the sale by the sheriff as shown by the return thereon, and it was ordered spread upon the minutes.

Whereas, It appears from a communication addressed to the Commissioner of Agriculture, on behalf of some of the minority stockholders of the Disston Land Company, that the Disston Land Company claims that it has acquired the right from the Atlantic and Gulf Coast Canal and Okeechobee Land Company, to nine hundred thousand acres of land, which it is alleged is "being held in reserve for the Canal Company, or its assignee, the Disston Land Company," under the amended drainage contract execu-

ted on August 17th, 1888, between the Atlantic and Gulf Coast Canal and Okeechobee Land Company, and the Trustees of the Internal Improvement Fund of the State of Florida, in pursuance of an act of the Legislature of the State of Florida, approved June 2, 1887, Chapter 3788, of the Laws of Florida.

And Whereas, The said Atlantic and Gulf Coast Canal and Okeechobee Land Company is not entitled to receive conveyances of land from the Trustees of the Internal Improvement Fund of the State of Florida, for the nine hundred thousand acres of land as claimed, nor is there any such reservation of land for the benefit of said company, or its successors or assigns.

And Whereas, It appears from an advertisement appearing in the public press of the State that John M. Lee, Special Master in Chancery, in a case pending before the Judge of the Seventh Judicial Circuit of the State of Florida, wherein the Columbia Avenue Savings Fund, Safe Deposit, Title and Trust Company of Philadelphia, is complainant, and the Disston Land Company, a corporation existing under the Laws of the State of Florida, is respondent, will offer for sale "all lands that are to be hereafter deeded to the defendant company by the State of Florida."

And Whereas, It is believed that the lands so referred to by the Special Master are the 900,000 acres of land claimed by the Disston Land Company as "being held in reserve for the Canal Company or its assignee, the Disston Land Company."

And Whereas, It is the desire of the Board to warn prospective purchasers at the sale aforesaid, and thereby save them from the loss of money.

Therefore, Be it Resolved by the Board of Trustees of the Internal Improvement Fund of the State of Florida, that John M. Lee, Special Master, in the cause set forth in the preamble to these resolutions, be at once notified that the claim of the Disston Land Company, that the 900,000 acres of land is "being held in reserve for the Canal Company, or its assignee, the Disston Land Company," is not true in so far as relates to any such reservation by this Board or any other board acting under and in pursuance of the contract of August 17th, 1888, executed by and between the Atlantic and Gulf Coast Canal and Okeechobee



Land Company and the Board of Trustees of the Internal Improvement Fund of the State of Florida, and that the said John M. Lee, Special Master, as aforesaid, be and he is hereby requested to read these resolutions and the preamble thereto at the time he offers to sell, "all lands that are to be hereafter deeded to the defendant company by the State of Florida," as advertised by him.

Resolved further, That a copy hereof, properly certified by the Secretary of this Board, be forwarded to the sheriff of Osceola county, and that said sheriff be and he is hereby directed to forthwith serve the same upon the said John M. Lee, Special Master, etc., and to make due return thereof to Governor William S. Jennings, the President of this Board.

I do hereby certify that the foregoing pages numbered 1 and 2 contain a true and correct copy of a resolution adopted by the Board of Trustees of the Internal Improvement Fund of the State of Florida at a meeting of said Board held on the 15th day of February, A. D. 1901. In Testimony Whereof, I have hereunto set my hand and (Seal.) the official seal of the Board of Trustees of the Internal Improvement Fund of the State of Florida, this 16th day of February, A. D. 1901.

(Signed) W. M. McINTOSH, JR.,

Secretary Board of Trustees I. I. Fund of Florida.

Endorsed:—Received this notice the 18th day of February, A. D. 1901, and executed the same on the 18th day of February, 1901, by delivering to John M. Lee a true copy of the within, at the same time reading to him the original, this the 18th day of February, A. D. 1901.

(Signed) C. F. PREVATT,

Sheriff of Osceola County, Florida.

Sheriff's costs, executing notice, \$1.50.

Received this notice the 4th day of March, A. D. 1901, and executed the same on the 4th day of March, A. D. 1901, by reading to John M. Lee as Special Master, the within notice at the time the announcement of sale was made thereby giving public notice of the within this 4th day of March, A. D. 1901.

C. F. PREVATT,

Sheriff.

Sheriff Cost.

Executing Notice and Rt., \$1.50.

The following resolution was presented and adopted:

Resolved, That the Salesman be and he is hereby authorized to employ a competent person to make a complete permanent record of the Internal Improvement, with other lands, at a salary of one hundred dollars per month, beginning June 1st, 1901, and that this resolution shall supersede the resolution of January 16th, 1897, on and after June 1st, 1901.

It was Resolved, That the Salesman be authorized to sell 1,964 67-100 acres of land in sections 23, 24 and 25, in T. 9 S., R. 29 E., and section 1 in T. 10 S., R. 29 E., as per list presented for the sum of one thousand dollars. The treasurer of the Board presented Jefferson County bonds amounting to eight hundred dollars (No. 52 for \$500 and Nos. 158, 161 and 172 for \$100 each) with coupons 14 to 30 attached, and he was authorized to purchase the same for par and accrued interest to March 1st, 1901.

The treasurer also presented for cancellation six (6) Bradford county bonds numbered sixty-five to seventy (65 to 70) inclusive of the denomination two hundred and fifty dollars each without coupons which he had purchased under the order of the Board of February 15th, 1901, for the sum of fifteen hundred dollars, and the said bonds were each duly canceled in the presence of the Board.

The following accounts were presented and ordered paid:

J. W. V. R. Plummer, for services and expenses in selecting swamp land in March and April, A. D. 1899, one hundred and three dollars and fifty-five cents (\$103.55.)

The Weekly Tallahasseean for 2,000 lithographed letter heads for the Board of Trustees, sixteen dollars (\$16.00), and for Form No. 97, for Salesman's office, six dollars (\$6.00), making a total of twenty-two dollars (\$22.00).

C. F. Prevatt, sheriff of Osceola county, for services and return and reading of the resolution of February 16th, 1901, at Kissimmee, three dollars (\$3.00).

The Board then adjourned.

W. S. JENNINGS, Governor.

Attest:

President.

W. M. McINTOSH, JR.,

Secretary.

Tallahassee, Fla., March 15, 1901.

The Board met in the Executive office.

Present: William S. Jennings, Governor.

William H. Reynolds, Comptroller.

James B. Whitfield, State Treasurer.

William B. Lamar, Attorney-General.

B. E. McLin, Commissioner of Agriculture.

Hon. B. E. McLin, Commissioner of Agriculture and Salesman, stated that Henry H. Wilson had agreed to purchase certain land provided the Board would authorize him to collect from all persons who had committed trespass thereon, at his own expense under full power from the Board to enforce payment therefor, and in conformity with said statement he presented two orders which were passed by the Board and are as follows:

It is *ordered* by the Board of Trustees of the Internal Improvement Fund of the State of Florida, That one Henry S. Wilson of St. Johns county, Fla., be and he is hereby appointed and fully empowered to represent said Board of Trustees in collecting and enforcing the collecting, settling and adjusting claims for trespassing against any and all parties who may have removed timber of any kind for any purpose from the following lands: East half of northeast quarter; northwest quarter and south half of section 23; south half of section 24; west half of northeast quarter; north half of northwest quarter; southeast quarter of northwest quarter; west half of southeast quarter; and southeast quarter of section 25; north half of northwest quarter; southwest quarter of northwest quarter, and southwest quarter of section 36, in T. 9 S., R. 29 E.; northwest quarter of northeast quarter, and west half of section 1 in T. 10, S., R. 29 E., or that may have boxed any of said timber on said lands for turpentine or other purposes, the same as if in his own right acting.

Be it *ordered* by the Board of Trustees of the Internal Improvement Fund of the State of Florida, That any moneys collected by one Henry S. Wilson of St. Johns county, Florida, for trespass under an order of the Board this day made authorizing the said Wilson to collect for trespass, be and the same are hereby transferred to the said Wilson for his own use and benefit. Conditioned only, that he, the said Wilson, shall purchase said lands at the price now agreed upon between the said Wilson

and B. E. McLin, Commissioner of Agriculture and Salesman, and that no costs shall attach to the Board of Trustees by reason of any litigation to prosecute or collect for trespass under the first order of the Board allowing the said Wilson to collect for trespass.

The Board then adjourned.

W. S. JENNINGS, Governor.

Attest:

President.

W. M. McINTOSH, JR.,

Secretary.

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Tallahassee, Fla., March 29, 1901.

The Board met in the Executive office.

Present: William S. Jennings, Governor.

William H. Reynolds, Comptroller.

James B. Whitfield, State Treasurer.

William B. Lamar, Attorney-General.

B. E. McLin, Commissioner of Agriculture.

The following communication from Hon. A. T. Williams was read and ordered spread upon the minutes for future consideration:

"Jacksonville, Fla., March 16, 1901.

The Honorable W. S. Jennings, Governor. Tallahassee, Fla.:

Dear Sir—You will remember that you had sent to me a list of the I. I. lands in Taylor and Lafayette counties some time ago, with the request that I look them over and see if I could make the Internal Improvement Fund an offer for them. I have since looked over most of the lands and find that they are all low, swampy hammocks without timber of any present value, but I have among my customers now some speculative geniuses that I may be able to make a sale of these lands to if I can get the price low enough. At any rate I am willing to spend some time and money in an effort to dispose of them if the Trustees will give me a ninety day option on the lands at the following prices:

For 5,000 acres, \$1.25 per acre; 10,000 acres, \$1.00 per acre, or for all in Taylor and Lafayette counties, 75 cents per acre, cash, and the Trustees to protect me in my margins in consideration given in deed to purchasers.

I would like to have a reply from the Trustees as early as possible, together with a correct list of the lands in Taylor and Lafayette counties, and also of any school lands that I can get included in the option. I believe I can sell the lands if I can get the required time to work up the trade.

Yours very truly,

ARTHUR T. WILLIAMS."

Judge F. M. Loomis appeared before the Board on behalf of the Alafia, Manatee and Gulf Coast Railway Company, and stated that the work of construction on said railroad had been delayed awaiting the passage of an Act of Congress authorizing the building of bridges across navigable water ways, and that said act was passed and approved February 25th, 1901, only about one month ago, thereby causing such a delay as to prevent the completion of the first ten miles of road within the limit fixed by the legislative grant if strictly construed.

The following resolution was then introduced and adopted:

Whereas, The Alafia, Manatee and Gulf Coast Railway Company, having paid its charter fee into the State Treasury, and having surveyed its route and filed a part of the same in the office of the Secretary of State in accordance with law;

And Whereas, It appears that owing to unavoidable circumstances it may not succeed in completing the first ten miles within the limit as provided in the charter, viz: May 15th, 1901.

Therefore Be it Resolved, That the Board of Trustees of the Internal Improvement Fund under the liberal powers given it by the act of the legislature creating said board, do hereby agree that should the Alafia, Manatee and Gulf Coast Railway Company begin construction of said road on or before the 15th day of May, 1901, and finish the line within the limit prescribed in the charter, to-wit: May 15th, 1903, the said Board of Trustees of the Internal Improvement Fund, considering the charter as an entirety, will regard the requirements of the charter as having been substantially complied with and the said road not prejudiced in any of the rights and privileges granted in the charter.

The treasurer of the Board presented the following bonds which had been offered for sale and he was author-



ized to purchase the same for \$2,808.00 that being par and interest to March 1st, 1901, for five (5) Jefferson county bonds Nos. 59, 61, 86, 107, and 108 of the denomination of \$500 each, and two (2) Jefferson county bonds Nos. 183 and 236 of the denomination of \$100.00 each, with coupons due July 1st, 1901. on.

The following accounts were ordered paid:

A. A. Scott for services and expenses *in re* examination of land in townships 24, 25 and 26, south of range 25, east, fifteen and 50-100 dollars.

Geo. F. Lasher for U. S. Official Postal Guide for Salesman, two and 50-100 dollars.

The Board then adjourned.

W. S. JENNINGS, Governor.

Attest:

President.

W. M. McINTOSH, JR.,

Secretary.

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Tallahassee, Fla., April 4, 1901.

The Board met in the Executive office.

Present: William S. Jennings, Governor.

William H. Reynolds, Comptroller.

William B. Lamar, Attorney-General.

James B. Whitfield, State Treasurer.

B. E. McLin, Commissioner of Agriculture.

Hon. A. T. Williams appeared before the Board and requested that action be taken at an early day on his proposition to purchase all lands in Taylor and Lafayette counties, which was presented on March 29th, 1901.

After considering the matter it was decided that final action thereon would be taken on next Thursday, the 11th instant, and the secretary was instructed to inform Mr. B. N. Camp that said proposition was pending and would be acted upon finally on the 11th inst., so that, if he desired to do so, he could submit a proposition before that day.

The Board then adjourned.

W. S. JENNINGS, Governor.

Attest:

President.

W. M. McINTOSH, JR.,

Secretary.

Tallahassee, Fla., April 13, 1901.

The Board met in the Executive office.

Present: William S. Jennings, Governor.  
 Wm. H. Reynolds, Comptroller.  
 J. B. Whitfield, State Treasurer.  
 Wm. B. Lamar, Attorney-General.  
 B. E. McLin, Commissioner of Agriculture.

Hon. A. T. Williams appeared before the Board and requested action in relation to the sale of all the lands in Taylor and Lafayette counties; whereupon it was Resolved, That Hon. A. T. Williams be authorized as the agent of the Board to negotiate the sale of all the lands in Taylor and Lafayette counties at seventy-five cents per acre provided that the Trustees shall not be held liable for any costs or expenses of said agent or for any commissions or compensation of any kind for negotiating such sale and that the full amount of the purchase money shall be paid to the Treasurer of the Board before any certificate of entry or conveyance shall be issued, and provided further that the time within which said sale must be negotiated and consummated is hereby limited to ninety days from this the 13th day of April, A. D. 1901.

The Board then adjourned.

W. S. JENNINGS, Governor.

Attest:

President.

W. M. McINTOSH, JR.,

Secretary.

Tallahassee, Fla., April 24, 1901.

The Board met in the Executive office.

Present: William S. Jennings, Governor.  
 Wm. H. Reynolds, Comptroller.  
 J. B. Whitfield, State Treasurer.  
 Wm. B. Lamar, Attorney-General.  
 B. E. McLin, Commissioner of Agriculture.

Judge Faulkner, of Taylor county, appeared before the Board *in re* actual settlers on lands in said county, and the Commissioner of Agriculture was requested to present all claims of actual settlers which may be filed in his office under Section 436 to 438 inclusive of the Revised Statutes of the State of Florida to the Board on the third day of May, 1901, or as soon thereafter as full informa-

tion in relation thereto is furnished to him for such action as may be deemed proper.

A communication from Mr. Frank Drew, President of the Suwannee and San Pedro Railroad Company, and a letter from Mr. Perry M. Colson, both in relation to lands in Taylor and Lafayette counties, were read and ordered filed for future reference, and the Secretary was directed to acknowledge the receipt thereof, and state that they had been presented to the Board.

The Board then adjourned.

W. S. JENNINGS, Governor,

Attest:

President.

W. M. McINTOSH, JR.,

Secretary.

Tallahassee, Fla., May 3, 1901.

The Board met in the Executive Office.

Present: William S. Jennings, Governor.

Wm. H. Reynolds, Comptroller.

J. B. Whitfield, State Treasurer.

Wm. B. Lamar, Attorney-General.

B. E. McLin, Commissioner of Agriculture.

The following resolution was presented and adopted:

Whereas, The Tallahassee Southeastern Railroad Company has failed to comply with the terms of the resolution of May 2, 1899, which provided "that the entire road must be completed and in operation from Tallahassee to the Suwannee river within two years from this date."

And Whereas, The limit of two years as fixed by the resolution of May 2, 1899, under which two deeds were placed in escrow in the First National Bank of the City of Tallahassee has expired; therefore, be it resolved by the Board of Trustees of the Internal Improvement Fund of the State of Florida, That Governor W. S. Jennings President of this Board, be and he is hereby authorized and directed to demand, receive and receipt for the two deeds of conveyance placed in escrow in the First National Bank of the city of Tallahassee under the resolution adopted May 2, 1899.

Resolved further, That upon delivery of said deeds of conveyance to the President of this Board, as herein provided, the First National Bank of Tallahassee shall be

fully relieved of all responsibility for the same, and the receipt for said deeds given by the President of said bank and now held by the Secretary of this Board, shall be surrendered to him.

The Governor presented a communication from Judge Geo. P. Raney, which was ordered to be spread upon the **minutes and acknowledged** by the Secretary, said communication is as follows:

Tallahassee, Fla., May 3, 1901.

Hon. W. S. Jennings, Governor of Florida, and Ex-Officio President of Board of Trustees of Internal Improvement Fund:

Dear Sir:—I am informed by the Clerk of the Supreme Court of Florida, that the Supreme Court has affirmed the decree of the Circuit Court of Leon county, sitting in chancery, in the case of S. B. O. Wilson, Trustee vs. Trustees I. I. Fund to the extent that such decree of the Circuit Court held the plea to be good, but reversing that decree in so far as it dismissed Wilson's bill. I represented the Trustees of the I. I. Fund in both courts.

Please acknowledge receipt.

Very truly,

GEO. P. RANEY.

The Board then adjourned.

W. S. JENNINGS, Governor,

Attest:

President.

W. M. McINTOSH, JR.,

Secretary.

Tallahassee, Fla., May 4, 1901.

The Board met in the Executive Office.

Present: William S. Jennings, Governor.

William H. Reynolds, Comptroller.

J. B. Whitfield, State Treasurer.

W. B. Lamar, Attorney-General.

B. E. McLin, Commissioner of Agriculture.

Governor W. S. Jennings, President of the Board, announced that he had complied with the resolution of the Board of May 3rd, A. D. 1901, and had procured the two deeds of conveyance therein mentioned and presented said deeds with a copy of the receipt given therefor.

Whereupon it was ordered that the receipt be spread upon the minutes of the Board and that the deeds be at once cancelled in the presence of the Board and filed. Said receipt is as follows: Whereas, the Tallahassee South Eastern Railroad Company has failed to comply with the terms of the resolution of May 2nd, 1899, which provided "that the entire road must be completed and in operation from Tallahassee to the Suwannee River within two years from this date."

And Whereas, The limit of two years as fixed by the resolution of May 2nd, 1899, under which two deeds were placed in escrow in the First National Bank of the City of Tallahassee has expired, therefore,

Be it Resolved by the Board of Trustees of the Internal Improvement Fund of the State of Florida, That Governor W. S. Jennings, President of this Board, be and he is hereby authorized and directed to demand, receive and receipt for the two deeds of conveyance placed in escrow in the First National Bank of Tallahassee under the resolution adopted May 2nd, 1899.

Resolved further, That upon the delivery of said deeds of conveyance to the President of this Board, as herein provided, the First National Bank of Tallahassee shall be fully relieved of all responsibility for the same, and the receipt for said deeds given by the President of said Bank, and now held by the Secretary of this Board, shall be surrendered to him.

I hereby certify that the above resolution was adopted by the Board of Trustees of the Internal (Seal.) Improvement Fund of the State of Florida, at a meeting held this the 3rd day of May, A. D. 1901.

W. M. McINTOSH, JR.,

Secretary Board Trustees I. I. Fund of Florida.

Received, Tallahassee, Florida, May 3rd, A. D. 1901. of George Lewis, President of the First National Bank of the City of Tallahassee, Florida, two deeds of conveyance which were placed in escrow in said Bank under a resolution of the Board of Trustees of the Internal Improvement Fund of the State of Florida, adopted May 2nd, 1899, which said deeds are:

No. 15.481 for 91.718.28 acres. No. 15.482 for 18,336.40 acres.



This receipt is given under and in pursuance of the above resolution of the Board.

W. S. JENNINGS, Governor,  
Governor and President of the Board of Trustees of the  
"Internal Improvement Fund of the State of Florida.

The two deeds numbered 15,481 and 15,482 deposited in escrow under the resolution of May 2nd, 1899, and described in the foregoing receipt given therefor by the President of the Board were then cancelled by the Board in open session.

It was ordered that the Commissioner of Agriculture be furnished with a certified copy of the action of the Board, in cancelling said deeds No. 15481 and 15482.

The Board then adjourned.

W. S. JENNINGS, Governor,  
President.  
Attest:  
W. M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., May 21, 1901.  
The Board met in the Executive Office.

Present: William S. Jennings, Governor.  
William H. Reynolds, Comptroller.  
J. B. Whitfield, State Treasurer.  
W. B. Lamar, Attorney-General.  
B. E. McLin, Commissioner of Agriculture.

Mr. W. N. Camp appeared before the Board and stated that he would like to enter into a contract with the Board to drain lands estimated at 4,961.27 acres now covered by Orange Larke, and that he would agree to drain and reclaim the land and then pay ten cents per acre therefor, and in addition thereto would credit the total number of acres of such land on the grant to the Orange Canal and Transit Company as shown by resolution adopted by the Board of Trustees October 1st, 1895, a certified copy of which was exhibited, and he presented evidence to show that he had the right to dispose of said grant as it had been transferred to him. After a full discussion it was ordered that the Secretary prepare a contract and submit the same to the Board. It was also ordered that H. B. Gaskins be allowed 30 days to complete an entry of 886

91-100 acres of I. I. land at seventy-five cents per acre.  
Said land being in Calhoun county.

The Board then adjourned.

W. S. JENNINGS, Governor,

Attest: President.

W. M. McINTOSH, JR.,

Secretary.

Tallahassee, Fla., May 29, 1901.

The Board met in the Executive Office.

Present: W. S. Jennings, Governor.

W. H. Reynolds, Comptroller.

J. B. Whitfield, State Treasurer.

W. B. Lamar, Attorney-General.

B. E. McLin, Commissioner of Agriculture.

Hon. C. E. Duckworth appeared before the Board on behalf of the actual settlers on swamp land in Taylor county and requested the Board to take such action as would lead to a speedy adjustment of all the claims of settlers in said county.

It appearing that the forms heretofore used for applications under sections 446 and 447 of the Revised Statutes of the State of Florida were not satisfactory and were deemed to be incomplete the Attorney-General was requested to prepare suitable forms for that purpose.

The Board then adjourned.

W. S. JENNINGS, Governor,

Attest: President.

W. M. McINTOSH, JR.,

Secretary.

Tallahassee, Fla., June 11, 1901.

The Board met in the Executive Office.

Present: W. H. Reynolds, Comptroller.

J. B. Whitfield, State Treasurer.

W. B. Lamar, Attorney General.

B. E. McLin, Commissioner of Agriculture.

The Governor being absent, Hon. W. H. Reynolds was requested to preside.

An application was presented from C. S. Wilson to purchase the S. E.  $\frac{1}{4}$  of N. W.  $\frac{1}{4}$  and S. W.  $\frac{1}{4}$  of N. E.  $\frac{1}{4}$  of Section 25 and the N. E.  $\frac{1}{4}$  and W.  $\frac{1}{2}$  of S. E.  $\frac{1}{4}$  of Section 35 in Township 20 South of Range 18 East, at seventy-five cents per acre and it was ordered that Hon. B. E. McLin, Commissioner of Agriculture and Salesman, be authorized and directed to allow Mr. Wilson to enter the described land at seventy-five cents per acre and that conveyance be made accordingly. The account of John McDougall, P. M., for stamped envelopes for Salesman's Office in April, 1901, amounting to sixty-four 20-100 dollars (\$64.20-100) was ordered paid.

The Board then adjourned.

Read in open meeting and approved August 9, 1901.

W. S. JENNINGS, Governor.

Attest:

President.

W. M. McINTOSH, JR.,

Secretary.

Tallahassee, Fla., June 20, 1901.

The Board met in the Executive Office.

Present: W. S. Jennings, Governor.

W. H. Reynolds, Comptroller.

W. B. Lamar, Attorney General.

B. E. McLin, Commissioner of Agriculture.

Mr. J. M. Barrs appeared before the Board and submitted the following proposition:

"Tallahassee, Fla., June 20th. 1901.

To the Honorable Board of Trustees of the Internal Improvement Fund of the State of Florida.

Gentlemen:—I respectfully submit to you a proposition for the purchase of the following lands, for sixty thousand six hundred and seventy-two (\$60,672.00-00) dollars, to-wit:

Beginning at the Southwest corner of Township fifty-three (53) South, Range thirty-one (31) East, thence thirteen (13) miles South, thence twenty-four (24) miles East, thence one (1) mile North, thence one (1) mile East, thence twelve (12) miles North, thence twenty-five (25) miles West, to point of beginning, comprising eight townships and thirty-six sections (8 Tps., 36 Secs.) and which

said sections border on the South and East sides of the said Townships, making a total acreage of two hundred and two thousand two hundred and forty (202,240) acres, exclusive of five thousand one hundred and twenty (5,120) acres lying within the lines above described; which said five thousand one hundred and twenty (5,120) acres would be identified as consisting of each sixteenth section of the above described land, when said land is surveyed into townships and sections in conformity to the regular United States survey.

In consideration of the payment to the Board of said sum of money for the purchase of said lands, we also request that we be given by the Board the right to purchase an equal additional area of the unsurveyed lands lying South and East of the lands so purchased by us, to be selected in a body, and paid for at the same price within one year from the date hereof.

It being understood that this proposition shall not prevent your Board from selling any of the unsurveyed lands at a better price at any time within a year from this date before we shall have tendered the purchase money for the said additional lands.

The conveyances of said lands are to be made upon the payment to your Treasurer of said sums of money, to Charles H. Scott and William S. Harvey or others to be named by me in a written request for the conveyances.

It is to be mutually understood that your Board will make to the parties to be named a deed conveying all of the State's right, title and interest in and to said lands, with the right to the grantees to apply to the United States for patents for said lands and that after the execution of such conveyance, said lands shall for all purposes, including taxation, as between the State of Florida and your Board on the one part, and the grantees thereunder, their successors, heirs and assigns, on the other part, be deemed and considered the property of the grantees, their successors, heirs and assigns.

It is also to be mutually understood and agreed that the grantees, their successors, heirs and assigns, are at their own proper cost and expense, and to their own full satisfaction, to drain the said lands and for the purpose of affecting such drainage, shall be given and shall have the right, under the supervision, direction and control of your Board, to enter upon any lands owned by your Hon-

orable Board, and dig and maintain canals and ditches, and open up and keep open through the same natural or artificial water-ways and courses leading from said lands and draining the same, and to that end the said grantees, their associates, successors and assigns, shall have, subject to the same supervision, direction and control, the right to take and use from any adjacent lands owned or held by your Board, any earth, timber, stone and other material necessary to be used in the construction and maintenance of such canals and water-ways.

I respectfully submit that at present these lands are of no practical utility to the State for any purpose, and that their purchase is contemplated by a syndicate of capitalists, amply able to do the work contemplated, and that the acceptance of this proposition will interest in Florida, men of large means and experience, who show their faith in the enterprise by paying down to the State a large sum in cash, in payment for a fixed area of about 200,000 acres in extent, including lands, rivers, lakes and bayous, very much of which will not be land and could not be surveyed as such no matter how thorough and extensive might be the system of drainage when completed, and it provides for the placing upon the State's tax books of these lands, which cannot, under any other conditions, be made a taxable asset of the State in many years, and that should this enterprise meet the fate which has overtaken so many others of the same kind, a failure of the grantees would result in a return to the State through taxation of the title to the lands now practically worthless to the State, and your Board will retain the \$60,000.00 or \$120,000.00 cash, as a net result of your action, to be used for your purposes, as you may deem best for the interests of the State and in accordance with law.

Respectfully submitted,

J. M. BARRS, Attorney."

After considering the above proposition the following resolution was unanimously adopted:

Be it Resolved by the Board of Trustees of the Internal Improvement Fund of the State of Florida, That the proposition of J. M. Barrs, Attorney, for the purchase of 202,240 acres and for a right to purchase a like amount of unsurveyed lands, a copy of which proposition is attached to this resolution, is hereby accepted by said Board of Trustees, and the Attorney General is hereby instructed



to prepare a form for such conveyance of the 202,240 acres and the execution and delivery of such conveyance is hereby ordered upon the payment within thirty days of the sum of sixty thousand six hundred and seventy-two dollars, to the Treasurer of this Board.

It appearing that application had been made to purchase swamp land in Township 37 South of Range 35 East, it was ordered, That the Commissioner of Agriculture, as Salesman, be authorized to sell the swamp land applied for in Township 37 South of Range 35 East, at the best price he can obtain not less than fifty cents per acre.

The Treasurer of the Board was authorized to purchase two thousand five hundred dollars (\$2,500.00) of Madison county bonds at par and accrued interest to March 11th, 1901, said bonds being numbered 35, 51, 54, 90 and 117 of the denomination of \$500.00 each.

The Board then adjourned.

W. S. JENNINGS, Governor.

Attest:

President.

W. M. McINTOSH, JR.,

Secretary.

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Tallahassee, Fla., June 27, 1901.

The Board met in the Executive Office.

Present: W. S. Jennings, Governor.

W. H. Reynolds, Comptroller.

W. B. Lamar, Attorney General.

B. E. McLin, Commissioner of Agriculture.

Col. John A. Henderson appeared before the Board and applied for the payment of certain bonds of the Florida Railroad Company.

After consideration thereof, he was requested to present his application in writing.

The Board then adjourned.

W. S. JENNINGS, Governor.

Attest:

President.

W. M. McINTOSH, JR.,

Secretary.

Tallahassee, Fla., June 28, 1901.

The Board met in the Executive Office.

Present: William S. Jennings, Governor.

Wm. H. Reynolds, Comptroller.

Wm. B. Lamar, Attorney General.

B. E. McLin, Commissioner of Agriculture.

Mr. J. M. Barrs appeared before the Board and stated that he was ready to comply with the terms of the resolution of the Board of June 20th, 1901, by paying the purchase money and asked that a form of deed be agreed upon so that a deed of conveyance of the land could be executed and delivered immediately upon the payment of the money to the Treasurer of the Board.

A form of deed having been prepared, it was read by the Secretary and approved.

Mr. Barrs then presented the following proposition:

Tallahassee, Fla., June 28, 1901.

To the Honorable Board of Trustees of the Internal Improvement Fund of the State of Florida.

Gentlemen:—I respectfully submit that I am ready to close the purchase of and pay for the 202,240 acres of unsurveyed lands in South Florida, contracted for by my proposition dated June 20th, 1901, and accepted by you by resolution adopted the same day, and I now respectfully propose to pay to your Board the sum of ten thousand dollars on account of the purchase of all the remaining unsurveyed lands (excepting school lands) in Lee and Monroe counties upon the basis of thirty cents per acre, area measurements, as in the said contract of June 20th, 1901, it to be understood that I am to have the right to purchase for the parties I represent at any time within one year from June 20th, 1901, all of said lands or any part thereof, not less than one hundred thousand acres at a time, at said price, and I to have the right to have the cash payment now proposed to be made within ten days from this date, applied as part of the purchase money of said lands, and your Board to retain the said sum as forfeited in the event of failure to so purchase lands.

As a reason for this proposition I am instructed to say that a vast scheme of drainage is in contemplation which will, in our opinion, result in a very great benefit to the State of Florida, and that to properly carry to completion our said scheme of drainage will require the doing of a

vast amount of work upon and affecting and benefiting the lands other than those we are now purchasing, and inasmuch as we are paying and proposing to pay the State a very much higher price for the lands we are purchasing than has ever heretofore been paid to the State, we hope and trust that you will see the equity to us of this proposition as well as the great interest of the State in its acceptance.

Respectfully submitted,

J. M. BARRS,  
Attorney.

After a full discussion of the foregoing proposition the following resolution was unanimously adopted:

Be it Resolved by the Board of Trustees of the Internal Improvement Fund of Florida, That the proposition of J. M. Barrs, Attorney, this day presented to this Board is hereby accepted and said J. M. Barrs, Attorney, is hereby granted the right, conditioned only on his payment to the Treasurer of this Board of the sum of ten thousand dollars within ten days after this date, to purchase within one year after the 20th day of June, 1901, all unsurveyed lands (excepting school lands) in Lee and Monroe counties upon the basis of thirty cents per acre, area measurements, he being granted the right to purchase at any time within said term of one year all of said lands or any part thereof, not less than one hundred thousand acres at a time, and not less than two hundred thousand acres in all, at said price, with the right to said Barrs, Attorney, to have said ten thousand dollars cash payment applied as part of the purchase money of such lands; it being understood that this Board is to retain said sum of ten thousand dollars as a forfeit in the event of the failure of said Barrs, Attorney, or his heirs or assigns, to purchase at least (200,000) two hundred thousand acres of such land within said period of one year at said price.

Provided, however, that nothing in this resolution shall be so construed as to prevent the sale, by the Trustees, of any land heretofore applied for by any person or that has been or may be applied for by actual settlers.

The Secretary of the Board then presented the contract prepared under the order of the Board of May 21st, 1901, which was approved and Mr. W. N. Camp being present the contract was duly executed. Said contract is in words and figures as follows:

Whereas, W. N. Camp has requested the Board of Trustees of the Internal Improvement Fund of the State of Florida to enter into a contract with him for the drainage and reclamation of the lands in sections 21 to 27 inclusive, in Township 12 South of Range 21 East, and Sections 1, 12, 13, 14, 15, 17, 18, 19, 20, 21, 22, 23, 24 and 30 in Township 12 South of Range 22 East, containing 4,961 acres, more or less, covered by Orange Lake, which were granted to the State of Florida under the act of Congress of September 28th, 1850, commonly known as the Swamp Land Act, saving and excepting any and all lands that have been granted under private grants or conveyed by the Board of Trustees of the Internal Improvement Fund of the State of Florida.

And Whereas, The said W. N. Camp exhibited to the Board of Trustees on the 21st day of May, A. D. 1901, a certified copy of a resolution adopted by the Board on October 1st, 1895, and the transfer and assignment to him of all rights thereunder as follows, to-wit:

"Hon. A. M. Williamson appeared before the Trustees in reference to the Land Grant made to the Orange Canal and Transit Company in 1887, Chapter 3823 of the Laws of Florida, as amended by Chapter 4483, Laws of Florida, pages 262 and 263, Acts of 1895;

And after consideration it was ordered that the Salesman convey to the Florida Orange Canal and Transit Company 11,200 acres of land patented or to be patented to the State of Florida under the provisions of the Act of Congress of September 28th, 1850, this quantity of land being the proportionate part of the original grant as compared with other land grant corporations, and being in lieu of the land that lay within the six and twenty miles of the line of the canal as contemplated in the original granting Act of 1887.

I hereby certify that the above and foregoing is a true copy of a resolution adopted by the Board of Trustees of the Internal Improvement Fund of the State of Florida on this the first day of October, A. D. 1895.

In testimony whereof I have hereunto set my hand and the seal of the Board of Trustees of the Internal Improvement Fund of the State of  
(Seal.) Florida this the first day of October, A. D. 1895.

W. M. McINTOSH, JR.,  
Secretary Board Trustees I. I. Fund of Florida."

"For and in consideration of the sum of two thousand (\$2,000) dollars cash in hand paid, the receipt of which is hereby acknowledged, the Florida Orange, Canal and Transit Company, a corporation under the laws of the State of Florida, has this day bargained and sold and hereby transfers, conveys and assigns to W. N. Camp, of Alachua county, Florida, all the rights, title and interest the said corporation has in and to certain land grants which have accrued to said corporation under and by virtue of Chapters 3823 and 4483 of the Laws of Florida and whatever rights to locate, select and receive grants and deeds from the said State to lands under said laws of the said State and whatever rights, interest and title the said corporation may have in and to said lands when so selected, located and granted. Said claim for land above conveyed was allowed by the Board of Internal Improvement Fund of the State of Florida, on the 1st day of October, A. D. 1895, and a certificate of the order of said Board of Trustees of the Internal Improvement Fund, under seal and signed by W. M. McIntosh, Jr., Secretary of said Board, is hereto attached, and is transferred and assigned to said W. N. Camp under this transfer and assignment.

In testimony whereof witness J. T. Landrum's hand as President of the Florida Orange, Canal and Transit Company, who signs for said Company, and Geo. W. DeMuro, Secretary of said Company, and the seal of said corporation, this 7th day of March, A. D. 1900.

J. T. LANDRUM,

President Fla. O. C. & T. Company.

Attest:—GEO. W. DEMURO,

Secy. Florida Orange, Canal & Transit Company.

Signed, sealed and delivered in our presence this March 7th, 1900.

J. M. YOUNG,

J. A. HAMPTON."

And Whereas, The said W. N. Camp offers on his part to drain and reclaim said land and to pay ten cents per acre for the same and as a further consideration to surrender all rights under the resolution of the Board of October 1st, 1895, to the extent of 4961 acres of the land therein referred to, and to accept a conveyance of the lands above described when drained and reclaimed as a



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full compliance with said resolution, to the extent of the area thereof, as fully and completely as if said lands had been conveyed under said resolution without other or further consideration.

Therefore, It has been deemed best and the Trustees of the Internal Improvement Fund of the State of Florida do hereby enter into the following Articles of Agreement

Articles of Agreement made and entered into this the twenty-eighth day of June, A. D. 1901, by and between W. N. Camp, of the county of Levy, and State of Florida, party of the first part, and William S. Jennings, Governor of Florida; William H. Reynolds, Comptroller; William B. Lamar, Attorney General; James B. Whitfield, State Treasurer, and Benjamin E. McLin, Commissioner of Agriculture of the State of Florida, and ex-officio the Trustees of the Internal Improvement Fund of the State of Florida, as such Trustees, parties of the second part.

Witnesseth, That the party of the first part agrees and binds himself, his heirs, executors, administrators, and assigns unto the parties of the second part and their successors, to permanently drain, and reclaim by digging canals, ditches, etc., at his own expense and charge, all the swamp and overflowed lands in the State of Florida practicable or susceptible of being drained and lying and being in Sections 21 to 27 inclusive, in Township twelve (12) South of Range twenty-one (21) East, and in Sections 1, 12, 13, 14, 15, 17, 18, 19, 20, 21, 22, 23, 24, and 30 in Township twelve (12) South of Range twenty-two (22) East, containing four thousand nine hundred and sixty-one (4,961) acres, more or less, of the unpatented lands which were granted to the State of Florida under the Act of Congress of September 28th, 1850, now covered in whole or in part by the waters of Orange Lake.

It is further agreed by the party of the first part that the work of draining and reclaiming said lands shall be begun within three years from the execution of this agreement and continued with reasonable progress until the lands shall be drained and reclaimed.

The parties of the second part do agree and bind themselves that when the lands shall be so drained and reclaimed and a patent therefor is issued to the State of Florida, they will, and their successors shall convey by proper deed to the party of the first part, all of the above described lands, or so much thereof as shall be drained and patented

to the State, which were granted to the State of Florida under the Act of Congress of September 28th, 1850, except such portion thereof as may be covered by private grants or shall have been previously conveyed by the parties of the second part, or their predecessors as Trustees of the Internal Improvement Fund of the State of Florida upon the compliance by the party of the first part with the following conditions:

\* 1st. The payment to the Treasurer of the Board of Trustees of the Internal Improvement Fund of the State of Florida of the sum of ten cents per acre for the 4,961 acres of land herein described.

2nd. The execution of a release of all claims of the party of the first part, or any person claiming under or for him, under the resolution of the Board of Trustees of the Internal Improvement Fund of the State of Florida, of October 1st, 1895, as above set forth to the extent of 4,961 acres of land as fully and completely as if a conveyance had been made under said resolution without any other or further terms, conditions, or consideration.

Provided, That no deed or conveyance shall be executed under this agreement until the work of drainage and reclamation is completed and a favorable report thereon that the said lands have been drained and reclaimed is made by an Engineer appointed by the parties of the second part, and that the services of such Engineer shall be paid for by the party of the first part.

In testimony whereof, the party of the first part has hereunto subscribed his name and affixed his seal, and the said Trustees have hereunto subscribed their names and affixed their seals, and have caused the seal of the Department of Agriculture of the State of Florida to be hereunto affixed at the Capitol, in the City of Tallahassee,

Florida, in duplicate, this twenty-eighth day of June, A. D. 1901.

W. N. CAMP, (Seal.)  
 W. S. JENNINGS, (Seal.) Governor.  
 WM. H. REYNOLDS, (Seal.) Comptroller.  
 W. B. LAMAR, (Seal.) Attorney General.  
 (Seal.) State Treasurer.  
 B. E. McLIN, (Seal.) Commissioner of Agriculture.

Signed, sealed and delivered in presence of

W. M. McINTOSH, JR.,  
 C. H. DICKINSON.

The Board then adjourned.

W. S. JENNINGS, Governor,  
 President.  
 Attest:  
 W. M. McINTOSH, JR.,  
 Secretary.

-----  
 Tallahassee, Fla., July 25, 1901.

The Board met in the Executive Office.

Present: W. S. Jennings, Governor.  
 J. B. Whitfield, State Treasurer.  
 W. B. Lamar, Attorney General.  
 B. E. McLin, Commissioner of Agriculture.

Hons. Fred T. Myers and W. A. Blount appeared before the Board *in re* land grants to railroads and Hon. W. A. Blount presented a petition which is in words and figures as follows:

To the Honorable Board of Trustees of the Internal Improvement Fund of the State of Florida.

The Louisville & Nashville Railroad Company respectfully represents:

On March 4, 1881, the Legislature of the State of Florida chartered the Pensacola & Atlantic Railroad Company and gave to it a grant of 20,000 acres per mile of the swamp and overflowed lands belonging to the State under the Act of Congress of September 28, 1850.

That railroad company built one hundred and sixty-one miles of road on or before April, 1883, and thereby became entitled to 3,220,000 acres of such lands.

The records of the office of the Commissioner of Agriculture show that it has received all the lands necessary to satisfy its grant except 1,401,506.99 acres. These figures are stated subject to verification.

Since the earning of these lands by the Pensacola & Atlantic Railroad Company, to the rights of which the Louisville & Nashville Railroad Company has succeeded, the State has granted and the Trustees have deeded to other Railroad Companies and to Canal Companies millions of acres of lands which had been earned by and belonged to the Pensacola & Atlantic Railroad Company.

There is now pending a suit in the United States Circuit Court for the Northern District of Florida by the Louisville & Nashville Railroad Company against J. J. Kittell, a grantee of one of the junior land grant railroad companies, the purpose of which suit being to recover from such grantee the lands asserted by the petitioner to belong to it. If the principles asserted in this suit prevail it will unsettle all of the title of many other junior land grant railroads and involve thousands of land owners throughout the State in interminable litigation.

It was suggested by the late Governor of the State of Florida that in order to avoid this result this Board would deed to the petitioner a sufficient number of acres of unsurveyed lands in the lower part of the Peninsular of Florida to satisfy the requirements of its grant. While the lands thus proposed to be deeded to your petitioner are of much less value than the lands in Middle and East Florida, to which it is entitled, yet to cause a cessation of the present litigation and avoid the necessity of future litigations having the effect before mentioned, the petitioner is willing to accept a settlement upon the basis proposed.

The object of this petition is, therefore, to call formally to the attention of this Board such suggestion and to indicate the willingness of this petitioner to accept it, and to earnestly request that this Board shall immediately issue to this petitioner a certificate or certificates entitling it to the number of acres yet due to it in satisfaction of its

grant and that upon such certificate, when such lands are patented to the State, deeds may be made to it.

Respectfully,

W. A. BLOUNT,

Atty. for the Louisville & Nashville R. R. Co.

July 25, 1901.

It appearing that it was desirable to amend the resolution adopted by the Board on June 20th, 1901, *in re* purchase of land by J. M. Barrs, Attorney, the following resolution was presented and unanimously adopted in lieu of said resolution of June 20th, 1901.

Be it Resolved by the Board of Trustees of the Internal Improvement Fund of Florida that the proposition of J. M. Barrs, Attorney, presented to this Board on the 28th day of June, 1901, is hereby accepted, and said J. M. Barrs, Attorney, is hereby granted the right, conditioned only on his payment to the Treasurer of this Board of the sum of ten thousand dollars within ten days after this date, to purchase within one year after the 20th day of June, 1901, all unsurveyed lands (excepting school lands) in Lee and Monroe counties, upon the basis of thirty cents per acre, area measurements, he being granted the right to purchase at any time within said term of one year, all of said lands or any part thereof, not less than one hundred thousand acres at a time, not less than two hundred thousand acres in all, at said price with the right to said Barrs, Attorney, to have said ten thousand dollars cash payment applied as part of the purchase money of such lands as a final payment on the purchase of two hundred thousand acres; it being understood that this Board is to retain said sum of ten thousand dollars as a forfeit in the event of the failure of said Barrs, Attorney, or his heirs or assigns to purchase at least two hundred thousand (200,000) acres of such lands within said period of one year at said price; Provided, however, that nothing in this resolution shall be so construed as to prevent the sale by the Trustees to actual settlers of not exceeding one hundred and sixty acres to each such actual settler of any lands heretofore settled or applied for in writing or now actually occupied by settlers.



The Board then adjourned.

W. S. JENNINGS, Governor.

Attest:

President.

W. M. McINTOSH, JR.,

Secretary.

Tallahassee, Fla., July 26, 1901.

The Board met in the Executive Office.

Present: W. S. Jennings, Governor.

J. B. Whitfield, State Treasurer.

W. B. Lamar, Attorney General.

B. E. McLin, Commissioner of Agriculture.

Hon. A. T. Williams appeared before the Board on behalf of Samuel A. Swann and presented the following proposition, together with the accompanying original papers, which were ordered spread upon the minutes and are in words and figures as follows:

"Tallahassee, Fla., July 26th, 1901.

To the Trustees I. I. Fund, Tallahassee.

Gentlemen:—In order to finally close up the old accounts of "Williams, Swann and Corley." I hereby make the following offer, viz:

If the Board will allow me to select, for the \$2,049.67-100 now due me, 1,520 acres of land, in not more than two different tracts or parcels, from any S. & O. lands, and deed them to me, I will execute receipt in full settlement of all amounts now claimed, or which may hereafter become due under old contracts by reason of additional patents which may be issued.

Selection of the 1,520 acres to be made by me at once and deed to issue.

Very Respectfully.

ARTHUR T. WILLIAMS,

for Saml. A. Swann."

"Fernandina, Fla., July 6th, 1901.

Trustees I. I. Fund, State of Florida.

Tallahassee, Fla.

Gentlemen:—Having no response to my communication to you of June 10th, I have requested Mr. A. T. Williams, who visits the Capitol on business, to call and ascertain

the cause of the continued unexplained delay in acting upon the claims left with the Secretary of the Board May 4th, 1900.

Any adjustment made with Mr. Williams will be satisfactory to me.

Very respectfully,

SAML. A. SWANN."

"\$961.60-100. Rec'd. Jacksonville, Fla., Apl. 22, '84, of M. A. Williams and Saml. A. Swann, the latter's check on N. Y. for nine hundred and sixty-one 60-100 dollars, which I hereby accept in full payment of all balances due, or to become due me, growing out of the contract made by Williams, Swann and Corley with the Trustees of the I. I. Fund of the State of Florida, for the selection of S. & O. lands, including all my right, title and interest in and to the lands of said firm now unsold, as well as the lands to be acquired by said firm upon the confirmation of their swamp land selections by the U. S. Government, as also the credit which now appears due to said firm upon the books of said Trustees; and including also all claim by me in the compensation paid by said Board of Trustees to S. A. Swann for negotiation of State lands under their contract with him. In giving this receipt, and its acceptance by Messrs. Williams and Swann, it is mutually understood that I am to be relieved of all further responsibility with respect to any unsettled claims, or demands, against the firm of Williams, Swann and Corley growing out of sales of lands made by either M. A. Williams or S. A. Swann, and it is further understood that in case any moneys are now due and unpaid for lands purchased from Williams, Swann and Corley, but which have been charged to me as collected, I have the right to receive the same without rendering any further account thereof to the said Williams and Swann.

HUGH A. CORLEY."

"Fernandina, Fla., May 5th, 1900.

To the Trustees of the Internal Improvement Fund.

Tallahassee, Fla.

Gentlemen:—All interests of the late M. A. Williams in and to the unsettled balances due the late firms of Williams and Swann and Williams, Swann and Corley, growing out of their contracts with the State for the selection of swamp and overflowed lands, were, in settlement be-

tween the respective members of said firms in 1886, assigned to Saml. A. Swann, who, alone, is authorized to receive and receipt for any and all sums of money or otherwise found due and payable by your Board on account, or in full settlement with aforesaid firms for compensation as State Agents, etc.

ARTHUR T. WILLIAMS,

Executor last will and testament of M. A. Williams."

"Tallahassee, Fla., May 4th, 1900.

To the Trustees Internal Improvement Fund.

Gentlemen:—Not wishing to longer keep open the old, unsettled accounts growing out of the swamp and overflowed selections for the State of Florida made by the former agents of the Board—Williams and Swann and Williams, Swann and Corley—as well as the more recent claims resulting from improper sales made by the late Commissioner, C. L. Mitchell, I now visit Tallahassee with the view of closing up, if possible, these long standing accounts to the mutual satisfaction of your Board and myself.

By reference to your records and to the correspondence already had touching these matters, you will find that the Fund you represent owes me:

|      |                                                                                                                                                                                                    |           |
|------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| 1st. | A balance found due the late firm of Williams, Swann and Corley for compensation on patented selections up to April 17, '84, as per statement herewith made up by the late H. A. Corley, say ..... | \$ 395 93 |
| 2nd. | Commissions of 2c per acre due Williams, Swann and Corley on 93, 420.30-100 acres of land patented since April, 1884, as per list herewith .....                                                   | 1,868 40  |
| 3rd. | Balance due Williams and Swann to Nov. 6, '73, as per adjusted statement made up by H. A. Corley, Jany. 22, '80, and accompanying this .....                                                       | 27 34     |
| 4th. | Compensation of 2c per acre due Williams and Swann on 1,660.01 acres patented since April, 1884. ....                                                                                              | 33 20     |

|                                                                                                                                      |            |
|--------------------------------------------------------------------------------------------------------------------------------------|------------|
| <i>5th.</i> Compensation for following lands, due Saml. A. Swann and S. A. Swann, Trustee, improperly conveyed to other parties, say |            |
| Nov. 29, '60, Deed No. 3525, to S. C. Braddock for S. E. $\frac{1}{4}$ of S. W. $\frac{1}{4}$ Section 5, T. 3 N., R. 26 .....        | 40 00      |
| May 10, '73, Deed No. 6413, to N. D. Upchurch for N. E. $\frac{1}{4}$ of N. E. $\frac{1}{4}$ Sec. 3, T. 2 N., R. 26 ..               | 40 00      |
| Jany. 29, '83, Deed No. 11833, to Edw. J. Reed for S. E. $\frac{1}{4}$ Sec. 7, T. 14, N. R. 13 .....                                 | 40 00      |
| Jany. 29, '83, Deed No. 11833, to Edw. J. Reed, for S. W. $\frac{1}{4}$ of N. E. $\frac{1}{4}$ Sec. 8, T. 14 N., R. 13.              | 10 00      |
|                                                                                                                                      | <hr/>      |
|                                                                                                                                      | \$2,454 87 |

- 6th.* For allowing lands conveyed to R. R. Companies under grants and for which no money consideration was received by State, say
- Deed No. 13,091, to Fla. So. Ry. Co. for lands in Sec. 1, 3, 11, 13, T. 3, N., R. 27. .. acres.
- Deed No. 13,515, to S. F. & W. Ry. Co. for Lots 3 & 4, Sec. 22, T. 1, N., R. 23, E.
- W.  $\frac{1}{4}$  of N. E.  $\frac{1}{4}$ , Sec. 8, T. 1, S., R. 23, N. W.  $\frac{1}{4}$  or N. W.  $\frac{1}{4}$ , Sec. 10, T. 1, S., R. 23.
- N. W.  $\frac{1}{4}$  of N. W.  $\frac{1}{4}$  and S.  $\frac{1}{2}$  of S. E.  $\frac{1}{4}$ , Sec. 20, T. 1, S., R. 23.
- Lots 1 & 2, S. E.  $\frac{1}{4}$  of N. E.  $\frac{1}{4}$  and E.  $\frac{1}{2}$  of S. E.  $\frac{1}{4}$ , Sec. 30, T. 1, S., R. 23.
- Deed No. 11,778, to Fla. Land & Imp. Co. for S. W.  $\frac{1}{4}$  of N. E.  $\frac{1}{4}$ , Sec. 29, T. 10, R. 16.
- Deed No. 11,780, to Fla. Land & Imp. Co. for N. W.  $\frac{1}{4}$  of S. W.  $\frac{1}{4}$ , Sec. 17, T. 14, R. 17.

These several claims I have condensed into one that the whole may the better be considered and settled at this sitting of the Board. Inasmuch as the Trustees at one time consented to pay the first item (\$395.93-100) in money, and subsequently overlooked the selection of lands I agreed to take in payment of the amount and conveyed the same to other parties; and further, having already conveyed to Railway Companies much of the patented lands on which the claims of Williams and Swann and Williams, Swann and Corley were a prior lien, I now respectfully ask that the amount of \$2,454.87-100, as stated above, be paid in cash, and if so, I propose to execute a

receipt releasing the Fund from all present and future obligations growing out of contracts or claims of parties above referred to.

Respectfully submitted,

SAML. A. SWANN."

The following resolution was presented and unanimously adopted:

Whereas, Upon this the 26th day of July, 1901, Hon. A. T. Williams, acting as Attorney or Agent for one Samuel A. Swann, appeared before the Board of Trustees of the Internal Improvement Fund and having shown to the satisfaction of this Board, by reference to orders and contracts heretofore made by the said Board, of record in the minutes of said Board, and from the records in the office of the Commissioner of Agriculture, that there is yet due and unpaid to the said Samuel A. Swann, as the representative of the firms of Williams and Swann and Williams, Swann and Corley, the sum of \$2,049.67 to be paid in lands for services rendered the State by said parties as Agents to select swamp and overflowed land under the Act of Congress of September 28th, 1850; said selections having been patented to the State from time to time, since their selection. It being fully set out and agreed to by the said Samuel A. Swann, that the payment of the above amount should be, and is in full settlement of any and all claims against the Trustees of the Internal Improvement Fund for any amounts that may have been, or is at this time, or may hereafter become due to the firms of Williams and Swann, Williams, Swann and Corley or either of them, or to any member of said firms, individually or otherwise, for services heretofore rendered as Agents of the State to select swamp and overflowed lands for the State, or under any contract, agreement or understanding executed, entered into or had by and between M. A. Williams, Samuel A. Swann, and Hugh A. Corley, as partners under any firm name, or as individuals, or in any representative capacity, on the one part, and the Trustees of the Internal Improvement Fund of the State of Florida, on the other part.

Therefore, Be it Resolved by the Trustees of the Internal Improvement Fund of the State of Florida, That, in consideration of the balance of \$2,049.67-100 ascertained to be due, and the proposition of A. T. Williams on behalf



of Samuel A. Swann, for himself and as the surviving partner and assignee of the firms of Williams and Swann, and Williams, Swann and Corley, to surrender all claims of whatever nature that have, or may accrue, the Salesman of the Board be and he is hereby directed to prepare and have executed a deed of conveyance to the said Samuel A. Swann, for fifteen hundred and twenty acres of swamp and overflowed land which was granted to the State under the Act of Congress of September 28th, 1850, and that, upon the delivery of a receipt and an acknowledgement of full and complete satisfaction of all claims, demands, rights, privileges or benefits accrued or that may accrue unto the said Samuel A. Swann, individually, or as Agent, Trustee, or in any other representative capacity, and as the surviving partner, successor and assignee of the firm of Williams and Swann and Williams, Swann and Corley under any and all contracts, agreements, or understandings that may have been executed, agreed to, or participated in by the said firms, or either of them, or by an individual member of either of said firms, or by himself individually, or in any representative capacity whatever, on the one part, and the Trustees of the Internal Improvement Fund of the State of Florida on the other part, the deed of conveyance so executed be delivered to A. T. Williams, Agent of the said Samuel A. Swann.

The Board then adjourned.

W. S. JENNINGS, Governor.

Attest:

President.

W. M. McINTOSH, JR.,

Secretary.

Tallahassee, Fla., August 9, 1901.

The Board met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

J. B. Whitfield, State Treasurer.

B. E. McLin, Commissioner of Agriculture.

The following resolution was presented by Hon. B. E. McLin and adopted:

Whereas, It has been represented by the Commissioner of the General Land Office of the United States, by letter dated July 31, 1901, to the Commissioner of Agriculture

of the State of Florida, that Lots One and Two of Section Thirteen, in Township Nine, South of Range Twenty-seven East, were located by Rydon H. Mayo, July 30th, 1852, and a patent was issued to said Mayo, November 2d, 1854, and that said lots were also inadvertently patented to the State of Florida as swamp land in Patent No. 99, bearing date April 2d, 1894, and has requested a deed of reconveyance, and, Whereas, it is not the intention or the desire of the authorities of the State of Florida to interfere in any way with the disposition of said above described land, and in order to remove all cloud from the title of said Rydon H. Mayo to the above described land, it is

Ordered, That the Salesman prepare and have executed a quit claim deed re-conveying said land to the United States of America and its assigns.

The matter of printing the minutes and history of the Board, under the resolution of the Board directing the Secretary to prepare the same for publication, was taken up, and the Secretary was directed to prepare other matter to be included in the book or books when printed, and to advertise for bids for printing 500 or 1,000 copies, separately as may be ordered, of the same size and style as the minutes last published, to be set solid in long primer and printed on 50 lb. M. F. book paper 24x38, copy to be received, proof submitted and work when completed to be delivered at the Capitol.

It was ordered that the Treasurer of the Board ascertain the rate of interest which will be allowed by banks, after September first, on quarterly balances, also the amount desired and the security that each bank would have to offer.

The following accounts were presented and ordered paid:

John McDougall, Postmaster, for stamped envelopes for Salesman's office, July, 1901, forty-two dollars and forty cents (\$42.40.)

Western Union Telegraph Company for telegrams, office of Secretary and Treasurer, four dollars and fifty-nine cents (\$4.59).

The Weekly Tallahasseean for binding seven volumes, Reports of Secretary and Treasurer, nine dollars and twenty-five cents (\$9.25).

G. I. I. Vol. V.

The H. and W. B. Drew Company for book cases for use of officers of Board, forty dollars (\$40.00).

James M. Dancy for services and expenses as State Agent in securing proof as to swamp lands, five dollars (\$5.00).

The following bonds heretofore purchased by the Treasurer of the Board were presented and canceled in open meeting: Six (6) Jefferson county bonds Nos. 52, 69, 61, 86, 107, and 108 of the denomination of \$500 each, and five (5) Jefferson county bonds Nos. 158, 161, 172, 183, and 236 of the denomination of \$100 each, all with July coupons on, principal and interest to March 1st, 1901, amounting to three thousand six hundred and forty dollars (\$3,640). Five (5) Madison county bonds Nos. 35, 51, 54, 90 and 117 of the denomination of \$500 each, with current coupon on, purchased for principal and interest to March 11th, 1901, amounting to two thousand six hundred and sixteen dollars and sixty-six cents (\$2,616.66):

The Board then adjourned.

W. S. JENNINGS, Governor,  
President.

Attest:

W. M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., August 27, 1901.

The Board met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

J. B. Whitfield, State Treasurer.

W. B. Lamar, Attorney-General.

B. E. McLin, Commissioner of Agriculture.

The following resolutions were adopted:

Resolved, That the Secretary of the Board is instructed to proceed to prepare for publication copies of the minutes and proceedings of the Board prior to 1889, and copies of the reports and statements of the Treasurer of the Board prior to 1889, and copies of all decrees and orders in his custody made by the United States court concerning the management and disposition of the funds of the Board, and also a statement of the history and

management of the fund together with such other data as should be preserved for publication.

Resolved further, That the Treasurer of this Board is instructed to file with the President of this Board a certified statement in detail of the receipts and expenditures of the various funds of the Board since December 31st, 1900.

Resolved further, That the Treasurer of this Board shall within five days from the first day of each month beginning with September 1st, 1901, file with the President of the Board a certified statement of the receipts and expenditures of the various funds of the Board during the preceding month, and also, a certified balance sheet showing the amounts in each fund on the first day of the month, giving also the amount in each bank or other depository.

The Board then adjourned.

W. S. JENNINGS, Governor,

Attest:

President.

W. M. McINTOSH, JR.,

Secretary.

Tallahassee, Fla., September 3, 1901.

The Board met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

J. B. Whitfield, State Treasurer.

B. E. McLin, Commissioner of Agriculture.

It was Resolved, That the Governor telegraph T. F. McGarry, Attorney for Beach and Peters, that we shall expect contract from them in reference to the completion of the Tallahassee Southeastern Railroad by Saturday, the 7th inst., and that the matter be speedily closed, otherwise the Board will be at liberty to deal with others for this work.

The Governor then prepared and sent the following telegram:

Tallahassee, Fla., Sep. 3, 1901.

Hon. T. F. McGarry, Attorney for Beach and Peters,  
Grand Rapids, Mich.:

You are notified that Board shall expect contract from you in reference to completion Southeastern Railroad by 7th inst., and that the matter be speedily closed, otherwise the Board will be at liberty to deal with others in this work, by order of the Board.

W. S. JENNINGS,  
Governor and President of Board."

The following notice of the delivery of the telegram to T. F. McGarry, Attorney for Beach and Peters, Grand Rapids, Mich., was ordered spread upon the minutes:

"Yours of 3d delivered to T. F. McGarry at 4:36 p. m., same day."

S. K. FLEMING, Manager."

The Board then adjourned.

W. S. JENNINGS, Governor,  
President.

Attest:

W. M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., September 6, 1901.

The Board met in the Executive Office.

Present: W. S. Jennings. Governor.  
A. C. Croom. Comptroller.  
J. B. Whitfield. State Treasurer.  
B. E. McLin. Commissioner of Agriculture.

The Secretary presented and read replies to letters addressed by him as Treasurer of the Board to different banks under the order of the Board of August 9th, 1901, in relation to interest on deposits, and after considering the matter it was ordered that the Treasurer of the Board notify each bank in which any of the funds of the Board are now deposited except the First National Bank of Tallahassee and the East Florida Savings and Trust Company of Palatka, that interest thereon from September 1st, 1901, will be required on quarterly balances at the rate of two and one half (2½) per cent. per annum, and that fifteen thousand dollars be transferred from



the First National Bank of Tallahassee to the First National Bank of Pensacola, and ten thousand dollars be transferred from the East Florida Savings and Trust Company of Palatka to the Citizens' Bank and Trust Company of Tampa, Florida, with notice to each of the two banks to which funds are to be transferred that interest thereon will be required on quarterly balances at the rate of two and one half ( $2\frac{1}{2}$ ) per cent. per annum, from the date of the deposit, and that the deposits so made are subject to check without notice.

Proposals for printing the book of records of the Board as advertised for to be presented not later than 12 o'clock m. on September 2, 1901, were presented and opened in presence of the Board and it appearing that I. B. Hilson was the lowest bidder, the contract was awarded to him for one thousand copies, as per specifications, on 50 lb. M. F. book paper, at fifty-five (55) cents per page.

The following accounts were presented and ordered paid:

H. D. Hartt, for desks and chairs for Salesman's office, eighty-nine dollars (\$89.00). T. F. Thomas Hardware and Seed Co., Gainesville, Fla., for one desk and office chair for J. M. Dell, twenty-five dollars (\$25.00.)

The Florida Times-Union and Citizen for publishing notice of bid for printing August 16th to 22d, inclusive, seven dollars and three cents (\$7.03.)

Moses Shepard for services as janitor for offices of Salesman and Secretary from December 1st, 1900, to August 31st, 1901, nine months, at four dollars (\$4.00) per month, thirty-six dollars (36.00).

W. M. McIntosh, Jr., for incidental expenses paid by him as follows:

1901.

|                                                                                                  |         |
|--------------------------------------------------------------------------------------------------|---------|
| Jan. 25—Southern Express Co., package, coupons to Boozer and Gillen .....                        | \$ 1.00 |
| June 24—First National Bank of Tallahassee, rent of box in vault .....                           | 10.00   |
| July 1—Western Union Telegraph Co., telegram to J. M. Barrs, attorney, June 26, 1901.....        | .33     |
| July 6—Southern Express Co., package, to National Bank of the State of Florida, deed to land.... | .75     |

Aug. 8—A. Donaldson, drayage on book cases for Board ..... .25

Total, twelve dollars and thirty-three cents....\$12.33

It was ordered that the janitor for the offices of the Salesman and Secretary be allowed the sum of twelve dollars per month from September 1st, 1901, and that the Treasurer of the Board pay the janitor monthly upon the approval of the Commissioner of Agriculture as Salesman.

W. S. JENNINGS, Governor,  
President.

Attest:

W. M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., September 7, 1901.

The Board met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

J. B. Whitfield, State Treasurer.

B. E. McLin, Commissioner of Agriculture.

Col. John A. Henderson appeared before the Board and renewed in writing an application heretofore made for the payment of certain bonds issued by the Florida Railroad Company, which application, and brief in support thereof, was ordered filed. The proposition contained in said application for settlement was as follows: "My proposition is that for \$35,000.00 in cash, and the right to enter from the Internal Improvement lands 45,000 acres of land of smallest subdivision, I will undertake to return to this Board for cancellation all these outstanding bonds, and thus settle forever the question of liability in this matter.

"Sept. 4, 1901.

"JOHN A. HENDERSON."

After consideration the Board declined to accept the proposition.

The Board then adjourned.

W. S. JENNINGS, Governor,  
President.

Attest:

W. M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., September 9, 1901.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

J. B. Whitfield, State Treasurer.

B. E. McLin, Commissioner of Agriculture.

Whereas, The Trustees of the Internal Improvement Fund of the State of Florida have adopted the following resolution:

Resolved, That in order to aid, encourage and secure the drainage, reclamation, settlement, cultivation, development, improvement, and advancement in the value of lands, and to aid, encourage and secure for the citizens and business of Taylor, Lafayette, Alachua, Levy and other counties, such transportation facilities as are needed for the drainage, reclamation, settlement, cultivation and development of the lands in and adjacent to that territory, and as their increasing growth and importance demand and should receive, for the development of the landed resources of the State.

It is the policy and purpose of the Trustees of the Internal Improvement Fund to at once aid, encourage and secure the speedy construction of a first class modern railroad through the counties of Taylor and Lafayette, in the direction of a line from Tallahassee to the Suwannee river, passing east and west through said counties, and further, that said line shall be extended to and connect with one or more trunk lines east of the Suwannee river running north and south, as well as east and west, for the purpose of aiding, encouraging and securing the advantages aforesaid.

Resolved further, That should the oners of the Tallahassee Southeastern Railway construct and equip a first class modern standard railroad from its present eastern terminus in the county of Jefferson to and into the town of Perry, in Taylor county, Florida, with suitable terminal facilities at Perry, by the first day of March, A. D. 1902, it will be within the policy of the Trustees, as above stated, to encourage and aid said construction and equipment by donating to said company so constructing under the terms and conditions, and at the time stipulated by the Trustees, a certain sum of money per mile, not to exceed \$2,500 per mile, in lieu of any and

all claims for lands under any and all statutes of this State for any road built, or to be built, between Tallahassee and Perry, Florida, said sums to be paid upon the completion and laying of rail on each section of ten miles as the last payment to be made by the Company for each said ten miles of construction after inspection by an engineer and approval by the Trustees as required by law of the roads receiving lands in aid of construction. Provided, that not more than \$75,000 will be given in aid of the construction and completion of the entire line from Thomas City to Perry, with terminals at Perry.

Resolved further, That in order to secure to the above named counties for the purposes stated, proper connections with two other roads at Tallahassee, and to secure proper terminal facilities at the capital of the State to make more useful such connections for the purposes stated by the Trustees, it will be within the policy of the Trustees, as stated above, to aid in the construction of such connections by donating to said company upon its completion of its connection with the Seaboard Air Line Railway, and with the Georgia Pine Railway at Tallahassee, and the erection and completion, and furnishing of proper terminals and terminal facilities, to be approved by the Trustees and the compliance with all proper requirements of the Trustees, a certain sum of money in lieu of all claims for lands under any and all statutes of this State, for said construction not to exceed \$5,000 per mile for necessary construction of main line from the present western terminus of said Tallahassee Southeastern Railway into the city of Tallahassee and connecting with the said two roads, under such conditions as to payment as the Board shall direct. Provided that said donation shall not exceed \$15,000 for all work on the western end and connections at Tallahassee, and shall not be paid until said connections and said terminals and terminal facilities are fully completed and put in service and approved by the Trustees.

Provided, also, That said donation shall not exceed fifty per cent. of the total expense of the right-of-way, construction and terminals. Provided also, that the sums aggregating \$90,000 shall be received in full satisfaction of any and all State aid for the construction and equip-

ment of the entire line from Tallahassee to Perry, Florida.

Provided further, That none of the above named donations shall be made until all claims for lands under the general statute granting alternate sections of land, as well as under all land grant charters and extensions to said Tallahassee Southeastern Railway Company, or its predecessors or successors for the construction of any and all roads already built, in whole or in part, or to be hereafter constructed between Tallahassee and Perry, shall be waived, relinquished and surrendered to the State and to the Trustees by all parties concerned or interested, or their assigns.

In order to comply with the present requirements of the Trustees with reference to the aid above mentioned, actual work of construction of the extension must be begun on the western end of the Tallahassee Southeastern Railway by October 1st, 1901, and on the eastern end of the Tallahassee Southeastern Railway by November 1st, 1901, with sufficient working force to complete the first ten miles on the eastern end within six weeks thereafter, and to complete the remainder thereof by the 1st March, 1902.

The Trustees then adjourned.

W. S. JENNINGS, Governor.

A. C. CROOM, Comptroller.

J. B. WHITFIELD, Treasurer.

W. B. LAMAR, Attorney-General.

B. E. McLIN, Commissioner of Agriculture.

Attest:

W. M. McINTOSH, JR.,

Secretary.

Tallahassee, Fla., October 17, 1901.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

J. B. Whitfield, State Treasurer.

W. B. Lamar, Attorney-General.

B. E. McLin, Commissioner of Agriculture.

Petitions were presented from citizens of Lee and De



Soto counties asking that the canal from Lake Okeechobee to Lake Hicpochee be closed, and after considering the petitions, it was ordered that the Secretary inform Capt. Hendry that the matter of closing the canal between the two lakes had been presented to the Trustees and that a committee of the Trustees would be sent in the near future to investigate and report in relation thereto.

The Treasurer of the Trustees was authorized to purchase bonds issued by Baker, Leon, Jefferson and Madison counties, with the funds apportioned to each of said counties under the Act of 1883, Chapter 3474, of the Laws of Florida, and present the bonds so purchased to the Trustees to be canceled in open meeting.

The following receipt signed by Samuel A. Swann was presented and ordered to be spread upon the minutes:

Whereas, Upon this the 26th day of July, 1901, Hon. A. T. Williams, acting as attorney or agent for one Samuel A. Swann, appeared before the Board of Trustees of the Internal Improvement Fund and having shown to the satisfaction of this Board, by reference to orders and contracts heretofore made by the said Board, of record in the minutes of said Board, and from the records in the office of the Commissioner of Agriculture, that there is yet due and unpaid to the said Samuel A. Swann, as the representative of the firms of Williams and Swann and Williams, Swann and Corley, the sum of \$2,049.67 to be paid in lands for services rendered the State by said parties as agents to select swamp and overflowed land under the act of Congress of September 28th, 1850: said selection having been patented to the State from time to time since their selection. It being fully set out and agreed to by the said Samuel A. Swann, that the payment of the above amount should be, and is, in full settlement of any and all claims against the Trustees of the Internal Improvement Fund for any amounts that may have been, or is at this time, or may hereafter become due to the firms of Williams and Swann, Williams, Swann and Corley, or either of them, or to any member of said firms, individually or otherwise, for services heretofore rendered as agents of the State to select swamp and overflowed lands for the State, or under any contract, agreement, or understanding executed, entered into or had by and between M. A. Williams, Samuel A. Swann, and Hugh A. Corley, as partners under any firm name, or as individuals, or in any

representative capacity, on the one part, and the Trustees of the Internal Improvement Fund of the State of Florida on the other part.

Therefore, be it resolved by the Trustees of the Internal Improvement Fund of the State of Florida, That, in consideration of the balance of \$2,049.67 ascertained to be due, and the proposition of A. T. Williams, on behalf of Samuel A. Swann for himself and as the surviving partner and assignee of the firms of Williams and Swann, and Swann, Williams and Corley, to surrender all claims of whatever nature that have, or may accrue, the Salesman of the Board be and he is hereby directed to prepare and have executed a deed of conveyance to the said Samuel A. Swann, for fifteen hundred and twenty acres of swamp and overflowed land which was granted to the State under the act of Congress of September 28th, 1850. and that, upon the delivery of a receipt and an acknowledgement of full and complete satisfaction of all claims, demands, rights, privileges or benefits accrued or that may accrue unto the said Samuel A. Swann, individually, or as agent, trustee, or in any other representative capacity, and as the surviving partner, successor and assignee of the firm of Williams and Swann, and Williams, Swann and Corley, under any and all contracts, agreements or understandings that may have been executed, agreed to, or participated in by the said firm or either of them, or by an individual member of either of said firms, or by himself individually, or in any representative capacity whatever, on the one part, and the Trustees of the Internal Improvement Fund of the State of Florida, on the other part: the deed of conveyance so executed to be delivered to A. T. Williams, agent for the said Samuel A. Swann.

Received, this, the 30th day of July, A. D. 1901, of Hon. B. E. McLin, Commissioner of Agriculture, and Salesman of the Board of Trustees of the Internal Improvement Fund of the State of Florida, Deed No. 15648, executed on the 29th day of July, A. D. 1901, for fifteen hundred and twenty acres of land, which deed of conveyance was executed, delivered and is hereby accepted, under and in accordance with the terms and conditions of the foregoing resolution of the Board of Trustees of the Internal Improvement Fund of the State of Florida, which is here referred to for the purpose of making it a part of this receipt; said deed of conveyance being accepted by me in

full satisfaction of any and all claims or demands of whatever kind, by me individually, or in any representative or other capacity, on any account whatever, against the said Internal Improvement Fund of the State of Florida."

The Trustees then adjourned.

W. S. JENNINGS, Governor.

A. C. CROOM, Comptroller.

J. B. WHITFIELD, Treasurer.

Attest:

W. M. McINTOSH, JR.,

Secretary.

Supplemental October 17th. 1901.

The purchase by the Treasurer of the following bonds was confirmed:

Seven Baker county bonds. No. 13, 35, 41, 42, 43, 48 and 49 of \$100 each, all coupons off, for seven hundred dollars.

Two Jefferson county bonds. No. 159 and 175, of \$100 each, with interest to June 1st, 1900, for two hundred and eleven dollars.

Eleven Leon county bonds. No. 28, 29, 46, 95, 107, 108, 114, 124, 125, 134, and 141, of \$500 each, and interest to November 1st, 1901, for five thousand seven hundred and forty-seven and 50-100 dollars.

Nine Jefferson county bonds. No. 48, 50, 60, 69, 73, 77, 78, 88 and 120 of \$500 each, and

Three Jefferson county bonds. No. 176, 185 and 186, of \$100 each, for four thousand nine hundred and twenty dollars.

One Jefferson county bond. No. 53, for \$500, and five Jefferson county bonds. No. 156, 160, 164, 173 and 174, of \$100 each, for one thousand and twenty-five dollars.

Nine (9) Madison county bonds. No. 1, 2, 25, 43, 75, 79, 83, 111, and 113, of \$500, for four thousand six hundred and thirty-one and 25-100 dollars.

W. S. JENNINGS, Governor.

A. C. CROOM, Comptroller.

J. B. WHITFIELD, Treasurer.

W. B. LAMAR, Attorney General.

B. E. McLIN, Commissioner of Agriculture.

Attest:

W. M. McINTOSH, JR.,

Secretary.

Tallahassee, Fla., November 6, 1901.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

J. B. Whitfield, State Treasurer.

B. E. McLin, Commissioner of Agriculture.

The matter of the Columbia county bonds presented by Boozer and Gillen was taken up, and W. V. Knott, State Agent, having reported that the bonds so presented had already been paid by the county, it was

Resolved, That the Trustees hold, subject to the order of the Trustees, Columbia county bonds numbered 59, 67, 75, 77, 79, 80 and 207, which were received from Boozer and Gillen, to await the result of an investigation, the Governor has been requested to make of the status of said bonds.

The Treasurer presented the following bonds which he had purchased under the authority of the Trustees and the same were duly canceled in open meeting:

Seven (7) Baker county bonds, No. 13, 35, 41, 42, 43, 48 and 49 of the denomination of \$100 each, all coupons off, for seven hundred dollars.

Two (2) Jefferson county bonds, No. 159 and 175, of the denomination of \$100 each, and interest to June 1st, 1900, amounting to two hundred and eleven dollars.

Eleven (11) Leon county bonds, No. 28, 29, 46, 95, 107, 108, 114, 124, 125, 134 and 141 of the denomination of \$500 each, with interest to November 1st, 1901, amounting to five thousand seven hundred and forty-seven and 50-100 dollars.

The Secretary presented and read a letter from Col. J. J. Dunne, *in re* closing canal between Lake Okeechobee and Lake Hicpochee, and a letter from the Suwannee and San Pedro Railroad Company *in re* lands.

Both of said letters ordered filed for future reference.

The following letter from Z. Graham, Clerk Circuit Court of Suwannee county, was read and ordered to be spread upon the minutes:

"Live Oak, Fla., October 28, 1901.

Hon. W. M. McIntosh, Jr., Secretary and Treasurer I. I. Fund of Florida, Tallahassee, Fla.:

Dear Sir—I am directed by the Board of County Commissioners of this (Suwannee) county, in reply to yours

of September 13th, ult., to say that they have taken up and paid for all the outstanding bonds (at maturity) issued by this county under act of 1883, Chapter 3474, Laws of Florida, excepting bond No. 48, due July 1st, 1896, amount, \$500, which has not been presented for payment.

Very truly yours,

Z. GRAHAM,

Clerk Board of Co. Comrs., Suwannee Co., Florida."

It appearing to the Trustees that the applicants for the following lands are fully advised that said lands are unsurveyed and that they assume the responsibility of obtaining patents from the United States, therefore it is

Ordered, That the Commissioner of Agriculture and Salesman prepare and have executed deeds of conveyance of the following unsurveyed and unpatented lands to the parties and at the prices hereinafter mentioned:

To W. A. Roebuck, the unsurveyed southwest quarter of northeast quarter; southeast quarter of northwest quarter, and east half of southwest quarter of section 22 (160 acres,) and the unsurveyed part of southeast quarter of northwest quarter section 25 (24 acres) in T. 37 S, R 35 E, at one dollar per acre.

To E. N. Dimick and Geo. W. Lainhart, all the unsurveyed part of section 22, except southwest quarter of northeast quarter; southeast quarter of northwest quarter, and east half of southwest quarter (340 acres); all section 27; north half of section 34, and northwest quarter of section 35 (1120 acres) in Tp. 37 S, R. 35 E, at sixty-five cents per acre.

To R. C. Langford, the unsurveyed south half of southeast quarter, and south half of southwest quarter section 23, south half of section 25, all section 26, northeast quarter section 35, north half and northeast quarter of southeast quarter section 36, Tp. 37 S, R 35 E, 1,585 acres, at sixty-five cents per acre.

The Secretary was authorized to purchase one typewriter and desk.

The employment of Miss Ethel Bowen as stenographer and typewriter in the preparation of the past minutes and history of the trustees, for publication from October 1st, 1901, was approved and authorized to be continued until the further order of the Trustees, at a salary of fifty dollars per month, to be paid monthly by the Treasurer.



The following accounts were presented and ordered paid:

I. B. Hilson, on account printing minutes and history of Trustees, under contract, two hundred and fifty dollars.

C. H. Dickinson, for one rack for typewriter in Salesman's office, two dollars.

C. H. Dickinson, for one Peerless typewriter, seventy dollars.

The Weekly Tallahasseean for postal cards for Salesman's office, three and 25-100 dollars.

The Trustees then adjourned.

W. S. JENNINGS, Governor.

A. C. CROOM, Comptroller.

J. B. WHITFIELD, Treasurer.

B. E. McLIN, Commissioner of Agriculture.

Attest:

W. M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., November 18, 1901.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

J. B. Whitfield, Treasurer.

W. B. Lamar, Attorney General.

B. E. McLin, Commissioner of Agriculture.

The Treasurer stated that additional bonds of Baker and Madison counties had been presented and he was authorized to purchase one thousand dollars of Baker county bonds and one Madison county bond for five hundred dollars and accrued interest to date of call.

The account of John A. Pearce for costs *in re* serving notice of rescinding of resolutions relating to the assistance of the Trustees in the construction of the Tallahassee Southeastern Railroad, on Beach and Peters, representatives of said road, amounting to three and 10-100 dollars, was ordered paid.

The Trustees then adjourned.

W. S. JENNINGS, Governor.

A. C. CROOM, Comptroller.

J. B. WHITFIELD, Treasurer.

W. B. LAMAR, Attorney General.

B. E. McLIN, Commissioner of Agriculture.

Attest:

W. M. McINTOSH, JR.,

Secretary.

Tallahassee, Fla., December 7, 1901.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

J. B. Whitfield, State Treasurer.

B. E. McLin, Commissioner of Agriculture.

It appearing that the Plant Investment Company has reconveyed to the Trustees of the Internal Improvement Fund the southwest quarter section 10, T. 35 S., R. 19 E., which was conveyed to the Jacksonville, Tampa and Key West Ry. Co., by Deed No. 12,961, December 30th, 1884, by error, as said land has never been patented by the U. S. Government to the State, and requested the State to convey to them the southeast quarter of section 10, T. 35 S., R. 19 E., in lieu of same, which was intended to be conveyed to said Jacksonville, Tampa and Key West Ry. Co., by the said Trustees, instead of said southwest quarter; and that said Jacksonville, Tampa and Key West Ry. Co. conveyed said southwest quarter to said Plant Investment Company as shown by certificate of the Clerk of the Court of Manatee county; therefore be it

Resolved, That the Salesman be and he is hereby directed to prepare and have executed a deed of conveyance of said southeast quarter, section 10, T. 35 S., R. 19 E., to the Plant Investment Company in lieu of the said southwest quarter reconveyed by said company to the Trustees of the Internal Improvement Fund of the State of Florida.

The Trustees then adjourned.

W. S. JENNINGS, Governor.

A. C. CROOM, Comptroller.

J. B. WHITFIELD, Treasurer.

B. E. McLIN, Commissioner of Agriculture.

Attest:

W. M. McINTOSH, JR.,  
Secretary.

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Tallahassee, Fla., December 11, 1901.

The Trustees met in the Executive Office.

Present: A. C. Croom, Comptroller.

J. B. Whitfield, State Treasurer.

W. B. Lamar, Attorney General.

B. E. McLin, Commissioner of Agriculture.

Upon motion the Comptroller was requested to preside.

It appearing that the Florida East Coast Railway Company has reconveyed to the Trustees of the Internal Improvement Fund lot one, section one, Tp. 52 S., R. 41 E., at their request, the said land having been conveyed by deed No. 14,273, to the Florida Coast Line Canal and Transportation Company September 24th, 1890, and by said company to the Florida East Coast Ry Co.; as said land had been patented by the U. S. Government to one Wm. N. Woods and the U. S. Government has requested the said Trustees to reconvey said land to the U. S. Government in order to perfect the entry of said Woods, who has spent about \$3,000 on improvements made by him on said land and said Florida East Coast Railway Company has requested the State to convey to them the S. E.  $\frac{1}{4}$  of N. E.  $\frac{1}{4}$  Sec. 3, in said Tp. 52 S., R. 41 E. in lieu of same.

Resolved, That the Salesman be and is hereby directed to prepare and have executed a deed of conveyance of said S. E.  $\frac{1}{4}$  of N. E.  $\frac{1}{4}$  Sec. 3, T. 52 S., R. 41 E., to the Florida East Coast Ry. Co. in lieu of the said Lot One Sec. one, T. 52 S., R. 41 E., re-conveyed by said Company to the Trustees of the Internal Improvement Fund of the State of Florida, also to prepare and have executed a deed re-conveying to the U. S. Government said Lot One Section One, T. 52 S., R. 41 E.

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The Trustees then adjourned.

W. S. JENNINGS, Governor.

A. C. CROOM, Comptroller.

J. B. WHITFIELD, Treasurer.

W. B. LAMAR, Attorney General.

B. E. McLIN, Commissioner of Agriculture.

Attest:

W. M. McINTOSH, JR.,

Secretary.

Tallahassee, Fla., December 23, 1901.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

J. B. Whitfield, Treasurer.

B. E. McLin, Commissioner of Agriculture.

The following accounts were presented, read and ordered to be paid:

Robt. H. Roesch, Clerk Ct. Ct. Manatee Co., for recording deed Plant Inv. Co. to Trustees, one dollar.

H. & W. B. Drew Company, for one I. I. Book and two tract books for Salesman's office, forty-three 52-100 dollars.

E. C. Dearborn, Clerk Circuit Court of Dade County, for recording deed of Florida East Coast Ry. Co. to State, one 25-100 dollars.

J. N. Bradshaw, Clerk Circuit Court of Orange County, for recording deeds of B. Lucas and wife and the Florida Land and Improvement Company to the Trustees I. I. Fund of Florida, two 20-100 dollars.

H. H. Henley, Clerk Circuit Court of Pasco county, for recording deeds from Klahr and Florida Land and Improvement Company to Trustees I. I. Fund of Florida, two 20-100 dollars.

The Trustees then adjourned.

W. S. JENNINGS, Governor.

A. C. CROOM, Comptroller.

J. B. WHITFIELD, Treasurer.

Attest:

W. M. McINTOSH, JR.,

Secretary.

Tallahassee, Fla., December 28, 1901.

The Trustees met in the Executive Office.

Present: A. C. Croom, Comptroller.

J. B. Whitfield, Treasurer.

B. E. McLin, Commissioner of Agriculture.

The Tallahassee South Eastern Railway Company having failed to comply with the terms and conditions of the contract made with the Trustees for the completion of a railroad from Tallahassee to Perry, in Taylor county, notice was served on the officers of said Company that the forfeiture provided for in the contract would be insisted on by the Trustees and that the said contract was forfeited and of no further effect by reason of the failure of said Company to comply with its terms.

The Trustees then adjourned.

W. S. JENNINGS, Governor.

A. C. CROOM, Comptroller.

J. B. WHITFIELD, Treasurer.

B. E. McLIN, Commissioner of Agriculture.

Attest:

W. M. McINTOSH, JR.,

Secretary.

Tallahassee, Fla., January 9, 1902.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

J. B. Whitfield, Treasurer.

B. E. McLin, Commissioner of Agriculture.

Accounts were presented, read and ordered paid as follows:

George B. Perkins, Attorney, for services and expenses incurred in prosecuting an appeal to the Commissioner of the General Land Office at Washington, D. C., *in re* State vs. Geo. W. Bivens, Swamp Land Contest, twenty-nine 15-100 dollars.



The Trustees then adjourned.

W. S. JENNINGS, Governor.  
A. C. CROOM, Comptroller.  
J. B. WHITFIELD, Treasurer.  
W. B. LAMAR, Attorney General.  
B. E. McLIN, Commissioner of Agriculture.

Attest:

W. M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., January 16, 1902.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.  
A. C. Croom, Comptroller.  
J. B. Whitfield, Treasurer.  
W. B. Lamar, Attorney General.  
B. E. McLin, Commissioner of Agriculture.

The matter of closing the canal between Lake Okeechobee and Lake Hicpochee presented to the Trustees October 17th, 1901, was again taken up and on motion the following committee was appointed to visit, inspect and report upon the conditions existing in the canal between the two Lakes mentioned: A. C. Croom, J. B. Whitfield and B. E. McLin.

Account of E. G. Chesley, for expenses incurred in inspection of Tallahassee South Eastern Railroad on Dec. 17th, 1901, three 50-100 dollars, was ordered paid.

The Trustees then adjourned.

W. S. JENNINGS, Governor.  
A. C. CROOM, Comptroller.  
J. B. WHITFIELD, Treasurer.  
W. B. LAMAR, Attorney General.  
B. E. McLin, Commissioner of Agriculture.

Attest:

W. M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., January 18, 1902.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

J. B. Whitfield, Treasurer.

W. B. Lamar, Attorney-General.

B. E. McLin, Commissioner of Agriculture.

It appearing to the Board of Trustees of the Internal Improvement Fund, from the records in the office of the Commissioner of Agriculture that L. B. Wombwell, as Commissioner, had received the sum of \$66.39 from I. D. Hart, Jr., as balance due on Installment Entry No. 15,453, May 30th, 1899, but that same was not paid to the Treasurer of this Board, nor turned over to the present Commissioner, B. E. McLin, there being no default on the part of the said I. D. Hart, Jr., the Commissioner of Agriculture, B. E. McLin, is directed to make a deed to the said I. D. Hart, Jr., for said Entry 15,453, and Wm. M. McIntosh, Jr., Secretary of the Board of Trustees of the Internal Improvement Fund, is directed to furnish Commissioner B. E. McLin with a copy of this order.

The Trustees then adjourned.

W. S. JENNINGS, Governor.

A. C. CROOM, Comptroller.

J. B. WHITFIELD, Treasurer.

W. B. LAMAR, Attorney-General.

B. E. McLIN, Commissioner of Agriculture.

Attest:

W. M. McINTOSH, JR.,

Secretary.

Tallahassee, Fla., February 25, 1902.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

J. B. Whitfield, Treasurer.

W. B. Lamar, Attorney-General.

B. E. McLin, Commissioner of Agriculture.

The Committee appointed to visit, inspect and report upon the condition of the canals between Lake Okeecho-

bee and Lake Hicpochee submitted the following report:

"Hon. W. S. Jennings,

Governor and President of the Board of Trustees of the Internal Improvement Fund of the State of Florida:

Tallahassee, Fla.

Sir:—The Committee appointed by you to visit and examine the condition of the canals cut some years ago between Lake Okeechobee and Lake Hicpochee, and between Lake Flirt in the southern part of DeSoto county beg leave to report that they have visited said Lake and find the canal running southwest from Lake Okeechobee into the northern part of Lake Hicpochee is filled with water running in a swift current from Lake Okeechobee into Lake Hicpochee. The canal from the south-western part of Lake Okeechobee into the eastern end of Lake Hicpochee is also full of water flowing in a good current into Lake Hicpochee. Apparently only a low grassy marsh separates the two lakes. On the west end of Lake Hicpochee there is a large canal to the Caloosahatchee River and thence into and through Lake Flirt, which forms a part of the Caloosahatchee River leading to the Gulf at Fort Myers. Citizens of Lee county have petitioned the Trustees of the Internal Improvement Fund to close the east end of the canal opening into the west end of Lake Hicpochee from the Caloosahatchee River alleging that the canal, being open, makes overflows of the Caloosahatchee River more frequent and of longer duration than before this canal was opened about twenty years ago. The effect of the closing of the canal as asked can only be ascertained by practical experiment or by theoretical survey of the territory to be affected and a calculation of the disposition of the water which accumulates in the territory especially during the seasons of heavy rainfall. The surface of the land for miles around Lake Hicpochee, from which territory the Caloosahatchee River flows, is very little above the present water level of the Lake and the canal. To close the canal without a scientific survey and careful estimate of its probable effect might prove an unfortunate experiment. If it is within the power of the Trustees to close this canal the cost of its closing would probably be several thousand

dollars, and should the permanent closing of it be a mistake the cost of removing the obstruction would be considerable. It is claimed that the canal connecting Lake Hicpochee with the Caloosahatchee River is a part of a recognized navigable water-way from Kissimmee City, in the interior of the State, to the waters of the Gulf of Mexico, and thus subject to the control of the United States Government. It seems to us the proper course to pursue is to ascertain if there is objection on the part of the United States Government to the closing of this water-way and, if there be no objection, then, if the Trustees have the power and the funds available, for the purpose, to have an exhaustive survey made of all the territory affected by the canals and by high water, in order that the Trustees might act intelligently in determining the advisability of closing the canal as asked for by the citizens of Lee county.

Protests against closing the canals by officers of adjoining counties are herewith filed, as also those in advocacy of it.

Respectfully submitted,  
A. C. CROOM,  
J. B. WHITEFIELD,  
B. E. McLIN."

The following accounts were presented and ordered paid:

A. C. Croom, for expenses of Committee to visit and inspect Okeechobee canals, which were actually paid by him, two hundred and ninety-four 50-100 dollars.

I. B. Hilson, for printing for Salesman's Office, fourteen dollars.

Western Union Telegraph Company, telegrams for Trustees, eight 47-100 dollars.

The Trustees then adjourned.

W. S. JENNINGS, Governor.

A. C. CROOM, Comptroller.

J. B. WHITEFIELD, Treasurer.

W. B. LAMAR, Attorney-General.

B. E. McLIN, Commissioner of Agriculture.

Attest:

W. M. McINTOSH, JR.

Secretary.

Tallahassee, Fla., March 10, 1902.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

J. B. Whitfield, Treasurer.

W. B. Lamar, Attorney-General.

B. E. McLin, Commissioner of Agriculture.

An application from the Etoniah Canal and Drainage Company for the appointment of an Engineer, to examine the work performed by said Company, was read, and P. D. Watkins was selected as such Engineer.

The Trustees then adjourned.

W. S. JENNINGS, Governor.

A. C. CROOM, Comptroller.

J. B. WHITFIELD, Treasurer.

W. B. LAMAR, Attorney-General.

B. E. McLIN, Commissioner of Agriculture.

Attest:

W. M. McINTOSH, JR.,

Secretary.

Tallahassee, Fla., March 22, 1902.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

J. B. Whitfield, Treasurer.

W. B. Lamar, Attorney-General.

B. E. McLin, Commissioner of Agriculture.

The Commissioner of Agriculture and Salesman having been requested to employ a suitable and competent person as Agent of the Board to make further selection of land granted to the State by the Act of Congress of September 28th, 1850, and to procure the proofs required by the United States Land Department for the approval of such selections, reported that he had employed Mr. Samuel W. Teague for the purpose. The said Teague is to incur all expenses necessary to make such selections and proofs required to have the selections approved by the proper authority of the United States Government, and to have the lands so approved, patented to the State



by the United States Government. In view of the scattered condition of these lands, after being picked by former Agents, it is agreed that said Agent shall receive as compensation for his services fifteen (15) per cent. of the lands so patented to the State; his selections in payment of said services and expenses to be regulated by a schedule of valuation, to be made by the Board of Trustees to not exceed fifteen (15) per cent of the total valuation of said lands patented as fixed by the Board.

On motion the above was approved and ordered spread on record by the Board.

The Secretary of the Board is directed to send a certified copy of said agreement to Mr. S. W. Teague, at Ocala, Fla.

An account of W. J. Bryan, for investigating swamp land contests, amounting to one hundred and twenty-seven dollars, was ordered paid.

The following accounts, &c., approved by the Trustees *ad interim* were ordered spread upon the minutes:

R. E. Rose, for expenses investigation *in re* land contest in Townships 49 and 50, Range 41, S. & E., nineteen 73-100 dollars.

The Perry Herald, publishing notice to settlers, two dollars

The Mathews-Northup Works of Buffalo, N. Y., for maps for advertising I. I. lands, one hundred and fifty dollars.

W. O. Tison, for one Bradford county bond, No. 63, of \$1,000.00; two Bradford county bonds, No. 48 and 88, of \$500.00 each, and two Bradford county bonds, No. 91 and 97, of \$250.00 each, all coupons off, twenty-five hundred dollars.

N. T. Elliot, for one Suwannee county bond, No. 68, for \$1,000.00; two Suwannee county bonds, No. 69 and 70, of \$500.00 each, and four Suwannee county bonds, No. 79, 80, 81 and 82, of \$100.00 each, twenty-four hundred dollars.

Western Union Telegraph Company, for telegrams for Trustees, one 48-100 dollars.

The Trustees then adjourned.

W. S. JENNINGS, Governor.

A. C. CROOM, Comptroller.

J. B. WHITFIELD, Treasurer.

W. B. LAMAR, Attorney-General.

Attest:

W. M. McINTOSH, JR.,

Secretary.

Tallahassee, Fla., April 1, 1902.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

J. B. Whitfield, Treasurer.

B. E. McLin, Commissioner of Agriculture.

The following report of P. D. Watkins, State Engineer, was read and ordered spread upon the minutes:

"Putnam Hall, Fla., March 25, 1902.

To the Board of Trustees of the Internal Improvement Fund, Tallahassee, Fla.

I have the honor to report on the following canals dug by the Etoniah Canal and Drainage Co. at Florahome, Florida:

One main canal from the outlet in Section 6, through Sections 2, 3, 34 and 33 to Seigler's Lake, 4 1-16 miles.

Lateral No. 1, from main canal north and west through Sections 34, 27, 22, 21 and part of 20, 4 7-16 miles.

Lateral No. 2, from lateral No. 1, east on north boundary of Section 34 to Mallette's Lake, 8-16 of a mile.

Lateral No. 3, from main canal in S. E.  $\frac{1}{4}$  of S. E.  $\frac{1}{4}$  Section 2 South, through Section 11, into Section 14, 1 8-16 miles.

Lateral No. 4, from Seigler's Lake northeast in Section 33, 12-16 of a mile.

Lateral No. 5, from Seigler's Lake south to Orange Grove Lake, 3 miles.

Lateral No. 6, from Orange Grove Lake to Lake Gandin, 1 mile.

Lateral No. 7, from Orange Grove Lake east through Section 22, into 23, 1 mile.

Total number of miles dug, 16 1-4.

I have been over all of the above canals and find that they have been dug according to the specifications of the Engineer in charge.

There has been some settling of muck and sand in the bottom and the canals are from one to one and a half feet shallower than when first dug.

I have been over the prairies through which these canals run since the recent rains and have seen no overflow nor any indication of it. The prairies are dry. Roads are being made across them and they are being cultivated the same as upland.

Therefore I am convinced that the canals have sufficient depth and fall to insure perfect drainage and do not hesitate recommending that they be accepted.

Enclosed map showing location of canal.

Respectfully,

P. D. WATKINS, State Engineer."

After considering the foregoing report it was ordered that the Secretary request Mr. Watkins to give details of construction as prepared by the Engineer of the Company and the dimensions of the different parts of the canal as actually constructed.

A communication was presented from Judge B. S. Liddon, accompanied by his opinion *in re* railroad from St. Andrews Bay to Alabama, and it was ordered that the same be filed.

It appearing that the E.  $\frac{1}{2}$  of N. E.  $\frac{1}{4}$  and S. E.  $\frac{1}{4}$ , Sec. 17, T. 20 S., R. 31 E., being a part of the I. I. lands proper, were erroneously conveyed to the Sanford and Indian River Railway Company by Deed No. 12,512 Dec. 27th, 1883, as swamp land and that the title thereto has passed to bona fide settlers thereon, it is ordered that the conveyance under Deed No. 12,512, as aforesaid, be ratified and that the E.  $\frac{1}{2}$  of the N. W.  $\frac{1}{4}$  and S. W.  $\frac{1}{4}$  of N. W.  $\frac{1}{4}$ , Sec. 17, T. 20 S., R. 31 E., be set apart as I. I. land proper in lieu of the land conveyed to the Sanford and Indian River Railroad Company.

The following bonds purchased by the Treasurer were presented and cancelled in open meeting:

Four Baker county bonds, No. 34, 44, 46 and 47, of \$100.00 each, and three Baker county bonds, No. 51, 56 and 57, of \$200.00.

One Madison county bond, No. 121, for \$500.00.

One Bradford county bond, No. 63, for \$1,000.00; two Bradford county bonds, No. 48 and 88, of \$500.00 each, and two Bradford county bonds, No. 91 and 97, of \$250.00 each.

One Suwannee county bond, No. 68, for \$100.00; two Suwannee county bonds, No. 69 and 70, of \$500.00 each, and four Suwannee county bonds, No. 79, 80, 81 and 82, of \$100.00 each.

One Madison county bond, No. 61, for \$500.00.

Nine Jefferson county bonds, No. 48, 50, 60, 69, 73, 77, 78, 88 and 120, of \$500.00 each, and three Jefferson county bonds, No. 176, 185 and 186, of \$100.00 each.

One Jefferson county bond, No. 53, for \$500.00, and five Jefferson county bonds, No. 156, 160, 164, 173 and 174, of \$100.00 each.

Nine Madison county bonds, No. 1, 2, 25, 43, 75, 79, 83, 111 and 113, of \$500.00 each.

The following accounts were presented and ordered to be paid:

Judge B. S. Liddon, for legal opinion *in re* West Florida and West Coast Railroad Company's application for land, seventy-five dollars.

John McDougall, Postmaster at Tallahassee, for stamped envelopes for Salesman's office, seventy-four and 80-100 dollars.

R. L. Scarlett, U. S. Surveyor-General, for transcript of field notes of the survey of sections 32, T. 1 N., R. 9 W., and 20 T. 1 S., R. 9 W. one dollar.

The Trustees then adjourned.

W. S. JENNINGS, Governor.

A C. CROOM, Comptroller.

J. B. WHITFIELD, Treasurer.

W. B. LAMAR, Attorney-General.

B. E. McLIN, Commissioner of Agriculture.

Attest:

W. M. McINTOSH, JR.,

Secretary.

Tallahassee, Fla., April 8, 1902.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

J. B. Whitfield, State Treasurer.

W. B. Lamar, Attorney-General.

B. E. McLin, Commissioner of Agriculture.

The citizens of Lee county presented the following resolution and application asking that they be allowed to close the canal at the western side of Lake Hicpochee at their own expense:

"Fort Myers, Fla., April 2, 1902.

To the Hon. Board of Trustees of the Internal Improvement Fund, Tallahassee, Fla.:

Gentlemen—At a mass meeting of representative citizens of Lee county, held in Evans & Co.'s hall on Tuesday night, the following resolution was adopted:

Your correspondents, residents of Lee county, who some time ago petitioned your Honorable Board to close up the canal leading from Lake Hicpochee into the Caloosahatchee, take the liberty to appeal to your Honorable Board, asking permission to close the canal at their own option and expense. We make this appeal feeling assured that your Honorable Board cannot, under the circumstances, refuse, as all the facts bearing upon the matter show conclusively that the canal was never intended as a drainage canal for Lake Okeechobee, and was intended to be closed upon the completion of "the South Canal."

As to your Honorable Board having the right to grant this permission is absolutely unquestionable. Your Board certainly possesses the same right to close the canal which it had to open it. The closing of the canal as already clearly shown, cannot in any way injure or affect any legal right; the canal is not navigable or embraced in the list of navigable streams by the General Government; as a drainage canal it is worthless.

We, your correspondents, beg pardon for our continual importunities. The matter is of such vital importance and interest to the entire Caloosahatchee River Valley and the increasing danger so menacing in its tendency, that we are impelled by the very first laws of nature to use all possible means to ward off what we consider to be a pending calamity. We ask your Honorable Board to



act upon this, our humble appeal, at your very earliest possible convenience.

Very respectfully yours,

F. A. HENDRY, Chairman.

PHILIP ISAACS, Secretary."

Upon considering the said resolution, the Trustees adopted the following:

Resolved, That the application of the citizens of Lee county for permission to close the eastern end of the canal opening into Lake Hicpochee on the west of said Lake is granted upon the express condition and stipulation that the said canal is to be closed at the expense of those undertaking it and at their own responsibility for all liability for damages that may result from such closing. This authority from the Trustees is simply permission without any liability or responsibility whatever to any one and is granted without prejudice to any rights that may be affected by the closing of said canal.

~ The Trustees then adjourned.

W. S. JENNINGS, Governor.

A. C. CROOM, Comptroller.

J. B. WHITFIELD, Treasurer.

W. B. LAMAR, Attorney General.

B. E. McLIN, Commissioner of Agriculture.

Attest:

W. M. McINTOSH, JR.,

Secretary.

Tallahassee, Fla., May 29, 1902.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

J. B. Whitfield, Treasurer.

W. B. Lamar, Attorney General.

B. E. McLin, Commissioner of Agriculture.

Judge W. H. Baker appeared before the Board and presented two petitions on behalf of the Atlantic Lumber Company, for the conveyances of land upon certain certificates held by said company. Said petitions were ordered to be filed.

The applications of the Atlantic Lumber Company, presented by Judge Baker as aforesaid, for the execution of deeds to certain lands based upon certificates issued in 1894, under Chapter 4267, of the Laws of Florida, approved May 24th, 1893, having been considered, it is ordered, That, without reference to any question other than the definite location of lands, the Trustees decline to execute the deeds applied for.

Hon. J. D. Pirrong appeared before the Board on behalf of the West Florida and Gulf Coast Railroad and after hearing Mr. Pirrong, the following resolution offered by the Attorney General, was adopted:

Resolved, That in order to carry out the policy of the Internal Improvement Acts of Florida, and the amendments thereto, the Trustees of the Internal Improvement Fund, to aid in the construction of a line of railroad through the counties of Calhoun, Washington, Holmes and Jackson, by the construction of the West Florida and Gulf Railroad under its charter, will set aside of the lands hereafter certified or patented to the State of Florida, by the United States, a pro rata per cent. per mile, equivalent to what other railroads in the State have received under their charters and that any lands heretofore withdrawn from the lists of public lands under other grants and not earned shall, when forfeited, be drawn upon to make up the above quota.

The Treasurer reported that, in accordance with the direction of the Trustees, he had purchased the following bonds on April 8th, 1902, and the action of the Treasurer was approved:

Six Jefferson county bonds No. 49, 56, 62, 75, 103 and 105, of the denomination of five hundred dollars each; four Jefferson county bonds No. 153, 177, 198 and 235 of the denomination of one hundred dollars each; and two Madison county bonds No. 33 and 114 of the denomination of five hundred dollars each, with accrued interest to April 7th, 1902, for which he had paid to George Lewis the sum of four thousand six hundred and four dollars sixteen cents (\$4,604.16).

The Trustees then adjourned.

W. S. JENNINGS, Governor.

A. C. CROOM, Comptroller.

J. B. WHITFIELD, Treasurer.

W. B. LAMAR, Attorney General.

B. E. McLIN, Commissioner of Agriculture.

Attest:

W. M. McINTOSH, JR.,

Secretary.

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Tallahassee, Fla., June 3, 1902.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

J. B. Whitfield, State Treasurer.

W. B. Lamar, Attorney General.

B. E. McLin, Commissioner of Agriculture.

The following application was read and ordered spread upon the minutes:

"To the Honorable Board Internal Improvement State of Florida, Tallahassee, Fla.:

Gentlemen—I desire to purchase from the State that tract of land lying in Jefferson and Leon counties known as the Miccosukie Lake, estimated to contain about 9,800 acres. To this end I offer the State sixty (60) cents per acre for the same upon terms as follows:

Twenty (20) cents per acre payable sixty days after favorable conclusion of legal proceedings recently instituted by L. & N. R. R. Co.

Twenty (20) cents per acre one year after first payment mentioned above.

Twenty (20) cents per acre two years after first payment mentioned above.

As evidence of my good faith, I offer to deposit, in trust, the sum of two hundred dollars, subject to order of your Board, when State wins conclusion in pending suit; if court decides against State said deposit to be returned to me; said two hundred dollars to be applied as part of first payment of purchase money.

I respectfully request your consideration of the above proposition and a conclusion subject entirely to such ju-

dicial conclusion as may determine your competency to dispose of this property now in controversy with L. & N. R. R. Co.

I remain

Very respectfully,

B. W. PARTRIDGE.

Monticello, Fla., May 24th, 1902.

After considering the foregoing proposition, it was

Resolved, That the Board of Trustees of the Internal Improvement Fund of the State of Florida, hereby accepts the offer of B. W. Partridge, as set forth in the preceding proposition.

The following accounts approved by the Trustees, *ad interim*, were ordered to be entered upon the minutes:

I. B. Hilson, record book Salesman's office, fifteen dollars.

M. A. Fuller, one typewriter desk for Salesman, twenty-five dollars.

H. C. Davidson & Co., letter books for Salesman's office, thirteen 50-100 dollars.

R. A. Hardee, services and expenses as State Agent investigating swamp lands, nine 50-100 dollars.

A. Donaldson, freight and drayage on desk for Salesman's office, three 96-100 dollars.

C. H. Dickinson, typewriter and desk for Salesman's office, one hundred and twenty-four dollars.

The Treasurer reported that he had purchased one Madison county bond, No. 40, for \$500, and interest to April 7th, 1902, \$525.58.

The Trustees then adjourned.

W. S. JENNINGS, Governor.

A. C. CROOM, Comptroller.

J. B. WHITFIELD, Treasurer.

W. B. LAMAR, Attorney General.

B. E. McLIN, Commissioner of Agriculture.

Attest:

W. M. McINTOSH, JR.,

Secretary.

Tallahassee, Fla., June 4, 1902.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

J. B. Whitfield, State Treasurer.

B. E. McLin, Commissioner of Agriculture.

The following resolution adopted May 10th, 1902, and not recorded, was ordered spread on the minutes:

Whereas, An application has been made by the General Land Office at Washington, D. C., for the re-conveyance of certain lands heretofore patented to the State of Florida, it is ordered by the Board of Trustees of the Internal Improvement Fund of the State of Florida, that Hon. B. E. McLin, Commissioner of Agriculture, be and he is hereby directed to prepare and have executed a deed reconveying to the United States those certain tracts or parcels of land described as follows: South half of northwest quarter, and northwest quarter of southwest quarter (or south half of lots 3 and 4, and north half of lot 5) section 12, T. 4 S., R. 16 E., embraced in entry No. 3620 of U. S. Government by Geo. W. Cline, May 28th, 1855, and the Commissioner of Agriculture is further directed to apply for indemnity therefor in accordance with a letter from Bing-er Herman, Commissioner of the General Land Office, to the land office at Gainesville, Florida, dated March 14th, 1902.

The Trustees then adjourned.

W. S. JENNINGS, Governor.

A. C. CROOM, Comptroller.

J. B. WHITFIELD, Treasurer.

W. B. LAMAR, Attorney General.

B. E. McLIN, Commissioner of Agriculture.

Attest:

W. M. McINTOSH, JR.,

Secretary.

Tallahassee, Fla., June 20, 1902.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

J. B. Whitfield, State Treasurer.

W. B. Lamar, Attorney General.

B. E. McLin, Commissioner of Agriculture.



The following communication was read and ordered to be spread upon the minutes:

"Tallahassee, Fla., June 19, 1902.  
To the Honorable Board of Trustees of the Internal Improvement Fund of the State of Florida:

Gentlemen—I respectfully notify you that I am ready and desire to close the purchase of and pay for all unsurveyed lands (excepting school lands) in Lee and Monroe counties, upon the basis of thirty cents per acre, area measurements upon which I have made a partial payment of ten thousand dollars as part of the purchase money of said lands, and I hereby request you that you execute and deliver to me the deed therefor.

I will upon the delivery of the deed conveying said lands pay the balance of the purchase money therefor.

Respectfully submitted,

J. M. BARRS, Attorney."

After full consideration the following resolution was adopted:

Whereas, J. M. Barrs, Attorney, did on the 19th day of June, 1902, make demand upon this Board for a deed conveying all unsurveyed lands (excepting school lands) in Lee and Monroe counties, upon which he had made a partial payment of ten thousand dollars, as part payment, and did offer to pay upon delivery of such deed the balance of the purchase money for said lands; said demand being so made in writing as follows:

"Tallahassee, Fla., June 19, 1902.

To the Honorable Board of Trustees of the Internal Improvement Fund of the State of Florida:

Gentlemen—I respectfully notify you that I am ready and desire to close the purchase of and pay for all unsurveyed lands (excepting school lands) in Lee and Monroe counties, upon the basis of thirty cents per acre, area measurements upon which I have made a partial payment of ten thousand dollars as part of the purchase money of said lands, and I hereby request you that you execute and deliver to me the deed therefor.

I will upon the delivery of the deed conveying said lands pay the balance of the purchase money therefor.

Respectfully submitted,

J. M. BARRS, Attorney."

And Whereas, this Board finds it impracticable at this time to comply with said demand, but is desirous of rec-

ognizing and extending the rights of said Barrs, Attorney, under his contract for the purchase of said lands and the resolutions of this Board in that connection passed June 20th, and July 31st, 1901, respectively, to the same extent that they existed prior to June 19th, 1902.

Now therefore be it Resolved, That this Board recognizes and will continue to recognize and extend the said rights of said J. M. Barrs, Attorney, until ninety days after notice shall have been given by resolution served upon said Barrs, Attorney, that this Board is ready to act upon his demand, it being the intention of this Board to hereby extend until 90 days after such notice is served any and all such rights possessed by said J. M. Barrs, Attorney, on and prior to June 19, 1902.

It was ordered that the Salesman notify S. I. Wailes, or his representative, that deeds of conveyance will be issued at the expiration of thirty days, from this date, for all land that may be due him and that no further conveyance will be made upon separate requests as has been done heretofore.

The following accounts, etc., approved by the Trustees *ad interim* were ordered to be entered upon the minutes:

J. R. Neher, for repairing Rem-Sho typewriter, six dollars.

First National Bank of Tallahassee, for one Madison county bond, No. 31 of \$500 with interest to Sept. 9th, 1901, five hundred and eight 25-100 dollars.

J. R. Neher, for repairing Rem-Sho typewriter, six dollars.

First National Bank of Tallahassee, for one Madison county bond, No. 99, of \$500, with interest to Nov. 25, 1901, five hundred and fourteen 58-100 dollars.

George Lewis, for one Madison county bond, No. 62, of \$500 and interest to April 7th, 1902, five hundred and twenty-five 58-100 dollars.

The following accounts were read and ordered to be paid:

R. W. Williams and T. L. Clarke, for professional services, *in re* opinion as to certain powers and duties of Trustees, one hundred and fifty dollars each, three hundred dollars.

E. W. Clark, stationery, for Salesman and Secretary of Board, ten 90-100 dollars.

June 1902

John McDougall, postmaster, for postal cards for Salesman's office, May 19th, 1902, two dollars.

P. D. Watkins, State Engineer, for services and expenses incurred in inspecting the canal of the Etoniah Canal and Drainage Company, under the direction of the Trustees, seventy-five dollars.

Harry D. Hartt, for revolving stool for Salesman's office. \$5.

Etoniah Canal and Drainage Company, for refund of balance of inspection fee as per receipt No. 95, April 3, 1902, after paying the State Engineer, fifty dollars.

The Trustees then adjourned.

W. S. JENNINGS, Governor.

A. C. CROOM, Comptroller.

J. B. WHITFIELD, Treasurer.

W. B. LAMAR, Attorney General.

B. E. McLIN, Commissioner of Agriculture.

Attest:

W. M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., June 24, 1902.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

J. B. Whitfield, State Treasurer.

B. E. McLin, Commissioner of Agriculture.

The report of P. D. Watkins, State Engineer, appointed to examine the drainage done by the Etoniah Canal and Drainage Company having been filed it is hereby approved and upon application of John C. Vanatta, President of said Company, it is ordered that in consideration of the actual drainage and reclamation by the Etoniah Canal and Drainage Co. as evidenced by the Engineer's report so executed and filed, that a deed of conveyance be issued to said company for four thousand three hundred and twenty-six 47-100 acres of land in Township 8 and 9, Range 23 S. and E., and in Townships 8 and 9, Range 24 S. and E., for such drainage actually done by said Company.

Account of C. H. Dickinson, for Typewriter Desk for Board of Trustees, amounting to twenty-seven 92-100 dollars, was read and ordered to be paid.

The Trustees then adjourned.

W. S. JENNINGS, Governor.

A. C. CROOM, Comptroller.

J. B. WHITFIELD, Treasurer.

B. E. McLIN, Commissioner of Agriculture.

Attest:

W. M. McINTOSH, JR.,

Secretary.

Tallahassee, Fla., July 3, 1902.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

J. B. Whitfield, Treasurer.

W. B. Lamar, Attorney General.

B. E. McLin, Commissioner of Agriculture.

The following preamble and order was presented and adopted:

Whereas, It is the duty of the Trustees of the Internal Improvement Fund under the act creating them to "make such arrangements for the drainage of the swamp and overflowed lands as in their judgment may be most advantageous to the fund and the settlement and cultivation of the lands."

And, Whereas, In the judgment of the Trustees of the Internal Improvement Fund, the drainage, and settlement, and cultivation of the swamp and overflowed lands remaining undisposed of in the counties of Lafayette, Taylor, Madison, Jefferson and Leon, as well as other lands can best be accomplished by a sale of a portion of said lands for the purpose of discharging the debts and obligations of the fund, and in aiding in the drainage and cultivation of the said lands as well as other lands of the fund which have been usually from 25 cents to \$1.25 per acre.

It is ordered, That a conveyance be made to Neill G. Wade of Levy county, Florida, of one hundred and three thousand seven hundred and seventy-eight 09-100 acres of swamp and overflowed lands in the counties of Taylor,

Jefferson, Lafayette, Madison and Leon, for the sum of two hundred and twenty-three thousand eight hundred and twenty-four dollars (\$223,824.00) the purchaser to pay in addition thereto a stated sum to Arthur T. Williams, who negotiated this sale for the Trustees of the Internal Improvement Fund, and rendered extensive and valuable service to the Fund in surveying, locating, grading and procuring purchasers for the said lands at a price greatly in excess of the prices usually obtained for said swamp and overflowed lands.

The account of John McDougall, P. M., for stamped envelopes for Salesman's office, amounting to forty-two 40-100 dollars was ordered to be paid.

The Trustees then adjourned.

W. S. JENNINGS, Governor.

A. C. CROOM, Comptroller.

J. B. WHITFIELD, Treasurer.

W. B. LAMAR, Attorney General.

B. E. McLIN, Commissioner of Agriculture.

Attest:

W. M. McINTOSH, JR.,

Secretary.

Tallahassee, Fla., July 23, 1902.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

J. B. Whitfield, Treasurer.

W. B. Lamar, Attorney General.

B. E. McLin, Commissioner of Agriculture.

The following communication was read and ordered spread upon the minutes:

"State of Florida,  
Executive Department,  
Tallahassee, July 23d, 1902.

Board of Trustees of the Internal Improvement Fund of the State of Florida,

"Tallahassee, Florida.

Gentlemen:—I have decided after mature consideration and deliberation that all monies belonging to and under the control of the Internal Improvement Fund of the State of Florida, should be held in the name of the Trus-



tees of the Internal Improvement Fund, and that all disbursements should be made on orders signed by all of said Trustees, and that the receipts for monies and other property should be made in the name of the Trustees, and that monthly reports in detail should be made to the Trustees of all receipts and disbursements; and of the amounts and location of all money, bonds, and securities belonging to or held by the Trustees or under their control.

I beg to herewith submit a resolution for your consideration, which if adopted by the Trustees, will accomplish the purpose suggested in this letter. The matter is referred to you for your consideration and action.

Very respectfully,

W. S. JENNINGS, Governor.

After considering the foregoing the following resolution was adopted:

Resolved, That all money, bonds and other property belonging to or held by the Trustees of the Internal Improvement Fund, shall be deposited, kept and held in the name of the Trustees of the Internal Improvement Fund; that all receipts for money or other property coming into any of the funds belonging to, or for the securities held by, such Trustees shall be given in the name of the Trustees of the Internal Improvement Fund by the State Comptroller; and all deposits and credits shall be made in the name of the Trustees of the Internal Improvement Fund by the State Comptroller.

All banks and other persons holding money or other property belonging to the Trustees shall be notified by certificate over the signature of the Trustees, that no money or property belonging to, or held by, the Trustees shall, under any circumstances, be paid or delivered to any one for any purpose except upon order duly signed by the Trustees, and countersigned by the State Comptroller. Monthly statements in detail shall be made to the Trustees under the direction of the State Comptroller, of all receipts and disbursements, and of the amounts and location of all money, bonds and securities belonging to or held by the Trustees or under their control. The Secretary and Treasurer is hereby directed to have all money, bonds and securities on hand the 1st day of August, 1902, transferred to the Trustees of the Internal Improvement Fund of the State of Florida.

The Trustees then adjourned.

W. S. JENNINGS, Governor.

A. C. CROOM, Comptroller.

J. B. WHITFIELD, Treasurer.

W. B. LAMAR, Attorney General.

B. E. McLIN, Commissioner of Agriculture.

Attest:

W. M. McINTOSH, JR.,

Secretary.

Tallahassee, Fla., July 29, 1902.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

J. B. Whitfield, Treasurer.

W. B. Lamar, Attorney General.

B. E. McLin, Commissioner of Agriculture.

The following communication was read and ordered spread upon the minutes:

"Tallahassee, Fla., July 29th, 1902.

The Honorable Trustees of the Internal Improvement Fund of the State of Florida.

Gentlemen:—I respectfully apply to purchase the unsurveyed lands in Dade county in Tps. 53, 54, 55, 56, 57 and 58, South of Ranges 35 and 36 East, except school lands, and the lands heretofore conveyed to Chas. H. Scott, and I promise to pay therefor the sum of thirty cents per acre area measurement. I desire to purchase said lands for the purpose of draining and reclaiming the same and desire provisions for drainage through other lands similar to the provisions therefor contained in the deed made by you to Chas. H. Scott. In the event that you deem it inadvisable to make immediate conveyance of said lands I request that said lands be sold to me to be paid for within 90 days after I shall have received written notice of your readiness to deliver a deed upon payment of the purchase money.

Respectfully submitted,

J. M. BARRS."

The following resolution was presented and adopted:  
Whereas, It is the judgment of the Trustees that the

lands mentioned below can be best be drained, reclaimed and improved by a sale of the same to parties who will undertake the drainage, reclamation and improvement of the said lands:

Therefore be it Resolved by the Trustees of the Internal Improvement Fund of the State of Florida, That the proposition of J. M. Barrs, presented to this Board, dated July 29th, 1902, is hereby accepted, and, this Board deeming it inadvisable to make immediate conveyance of said lands; the unsurveyed lands in Dade county in Tps. 53, 54, 55, 56, 57 and 58 South of Ranges 35 and 36 East, excepting the 16th section (school lands) and lands heretofore conveyed to Chas. H. Scott, are hereby set aside and sold to said J. M. Barrs, at the price of thirty cents per acre area measurement; the deed therefor to be delivered upon payment to the Treasurer of this Board of the purchase price within 90 days after said Barrs shall have received written notice that the deed is ready for delivery to him.

An account of I. B. Hilson, for printing for Salesman's office, in May, 1902, amounting to fourteen 50-100 dollars, was ordered paid.

The Trustees then adjourned.

W. S. JENNINGS, Governor.

A. C. CROOM, Comptroller.

J. B. WHITFIELD, Treasurer.

W. B. LAMAR, Attorney General.

B. E. McLIN, Commissioner of Agriculture.

Attest:

W. M. McINTOSH, JR.,

Secretary.

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Tallahassee, Fla., August 1, 1902.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

J. B. Whitfield, Treasurer.

W. B. Lamar, Attorney General.

B. E. McLin, Commissioner of Agriculture.

The following resolution was read and adopted:

Resolved, That the Comptroller of the State of Florida be and he is hereby directed to notify J. M. Barrs that

within ninety days from August 2d, 1902, the Trustees will require a completion in full of all contracts relating to the purchase of land and payment in full of the purchase price under the several propositions accepted by the Trustees.

The Treasurer presented the following bonds, purchased by him under the Act of 1883 Chapter 3474 of the Laws of Florida, in accordance with the directions of the Trustees, and each of said bonds, and the coupons attached thereto, were cancelled in open meeting:

Two (2) Jefferson county bonds, No. 122 and 124, of \$100.00 each, and one (1) Jefferson county bond, No. 123, for \$100.00, with coupons No. 15 to 30, inclusive, attached of said bonds. These three bonds were purchased today.

One (1) Madison county bond, No. 40, for \$500.00, with coupons No. 15 to 25, inclusive, attached.

One (1) Madison county bond, No. 99, for \$500.00, with coupons No. 15 to 25, inclusive, attached.

One (1) Madison county bond, No. 62, for \$500.00, with coupons No. 15 to 25, inclusive, attached.

One (1) Madison county bond, No. 31, for \$500.00, with coupons No. 15 to 25, inclusive, attached.

Six (6) Jefferson county bonds, No. 49, 56, 62, 75, 103 and 105, of \$500.00 each, with coupons No. 15 to 30, inclusive, attached.

Four (4) Jefferson county bonds, No. 153, 177, 178 and 235, of \$100.00 each, with coupons No. 15 to 30, inclusive, attached.

Two (2) Madison county bonds, No. 33 and 114, of \$500.00 each, with coupons No. 15 to 25, inclusive, attached.

Bill of John McDougall, P. M., for stamped envelopes for Salesman's office, ten 90-100 dollars, ordered paid.

The Trustees then adjourned.

W. S. JENNINGS, Governor.

A. C. CROOM, Comptroller.

J. B. WHITFIELD, Treasurer.

W. B. LAMAR, Attorney General.

B. E. McLIN, Commissioner of Agriculture.

Attest:

W. M. McINTOSH, JR.,

Secretary.

Tallahassee, Fla., August 7, 1902.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

J. B. Whitfield, Treasurer.

B. E. McLin, Commissioner of Agriculture.

The Treasurer reported that he had purchased the following bonds:

Ten (10) Baker county bonds, No. 17 to 26, inclusive, of \$100.00 each, all coupons off, for one thousand dollars.

Bills were presented and ordered paid as follows:

F. L. Robertson, for proof reading and other clerical assistance rendered Trustees, one hundred dollars.

First National Bank of Tallahassee, for rent of box in vault from June 10th, 1902, to June 10th, 1903, ten dollars.

The Trustees then adjourned.

W. S. JENNINGS, Governor.

A. C. CROOM, Comptroller.

J. B. WHITFIELD, Treasurer.

B. E. McLIN, Commissioner of Agriculture.

Attest:

W. M. McINTOSH, JR.,

Secretary.

Tallahassee, Fla., August 8, 1902.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

J. B. Whitfield, Treasurer.

W. B. Lamar, Attorney-General.

B. E. McLin, Commissioner of Agriculture.

The following resolution was adopted:

Resolved, That the Contractor be notified to submit final proofs of the printing of the minutes of the Trustees of the Internal Improvement Fund in page form, for verification, to the Comptroller from time to time as the work progresses and that no other proof reading at the expense of the Trustees is authorized, and that the final proofs submitted must conform to the contract, and that the final proofs will be read without any assistance from the contractor.



Resolved further, That the comptroller is authorized to employ such assistance, not to exceed three dollars per diem as is necessary to verify the proof furnished.

The Comptroller explained the necessity of having a steel safe for the preservation and safe keeping of the bonds, funds and valuables belonging to the Trustees; therefore it is

Ordered, That the Comptroller is hereby authorized to buy for the Trustees one of the latest improved burglar and fireproof steel safes to be placed in the vault of the Comptroller's office to be used for keeping the valuables of the Trustees.

The Trustees then adjourned.

W. S. JENNINGS, Governor.

A. C. CROOM, Comptroller.

J. B. WHITFIELD, Treasurer.

W. B. LAMAR, Attorney General.

B. E. McLIN, Commissioner of Agriculture.

Attest:

W. M. McINTOSH, JR.,

Secretary.

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Tallahassee, Fla., September 15, 1902

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

J. B. Whitfield, Treasurer.

B. E. McLin, Commissioner of Agriculture.

At a meeting of the Board of Trustees of the Internal Improvement Fund and of a quorum of the State School Board in the office of the Governor on this the 15th day of September, 1902, the Commissioner of Agriculture and Salesman of the State lands, presented a proposition from one F. B. Bell, of Wewahitchka, Fla., (who now represents several large land interests in several of the counties in the western part of the State), in which he offers to represent the interest of the State in the matter of trespass on timbered lands.

The Commissioner of Agriculture is hereby directed to make arrangements with the said Bell, authorizing him to prosecute trespassers and to collect any monies he may be able to collect for trespass committed heretofore, or at

present found to be carried on, or that may in future occur, while this commission is in force; the said Bell is to co-operate with the Sheriffs of the different counties so far as practicable, they being the legal custodians of the State public lands; the Board agrees to pay the said Bell 50 per-cent. of all monies collected for trespass after deducting cost expended in each case; a copy of the bill to be filed with the Commissioner of Agriculture and the monies to be remitted to said Commissioner, the said Bell obligating himself to use due diligence to prevent further trespass on any of the State's lands, and in no case is he to sell, or permit deadened, and cut, and standing timber, except where timber is now deadened, and in that event not to remove or sell, until he has reported to the Commissioner of Agriculture the amount of such deadened timber and its condition and the Commissioner of Agriculture advises said Bell that the Board approves of his cutting and removing the same.

In all cases where the trespass has been committed the Board prefers that the parties purchase the land outright at one dollar and twenty-five cents (\$1.25) per acre, as a settlement. It being the settled purpose of the two Boards to sell the land and not to remove timber, or to protect the timber on the lands until sold outright.

The Secretary of the I. I. Fund and of the School Board will each furnish a copy of this order to B. E. McLin, Commissioner of Agriculture and Salesman, for his direction in the matter.

The Treasurer stated that he had purchased three (3) Bradford county bonds, No. 39, 71 and 72, of \$250.00 each, with all coupons off, from W. O. Tison.

Accounts of the Daily Capital for mounted maps, Russia leather bound cases, receipts and warrants, amounting to two hundred and fifty-seven 50-100 dollars, were presented and ordered paid.

The Trustees then adjourned.

W. S. JENNINGS, Governor.

A. C. CROOM, Comptroller.

J. B. WHITFIELD, Treasurer.

B. E. McLIN, Commissioner of Agriculture.

Attest:

W. M. McINTOSH, JR.,

Secretary.

Tallahassee, Fla., September 22, 1902.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

J. B. Whitfield, Treasurer.

The following proposition was presented and ordered to be spread upon the minutes:

"To the Honorable Board of Internal Improvement Fund, State of Florida.

Sirs:—I hereby make application for a selection of not less than five thousand acres of land in Townships 57 of Range 35, 57 of Range 36, 58 of Range 35, and 58 of Range 36.

This application is made subject only to the option now held on said lands by Charles H. Scott, which option expires November 1st, 1902.

Applicant hereby offers seventy cents (.70) per acre for said lands and agrees to pay said price for not less than five thousand acres of said lands on or before February first, 1903.

Respectfully,

GUY I. METCALF."

The above application having been considered, Be it Resolved, That the applicant, Mr. Guy I. Metcalf, be granted an option subject to option now held by Charles H. Scott, above referred to, on following basis and terms named:

That applicant select lands in contiguous bodies or tracts of not less than five thousand acres at seventy cents per acre.

That applicant may purchase lands embraced in application in quantities of not less than one whole section at one dollar per acre.

The following resolution was also adopted:

Resolved, That I. B. Hilson be authorized and directed to bind fifty copies of each volume of the minutes at one dollar and twenty-five cents (\$1.25) per copy.

The Trustees then adjourned.

W. S. JENNINGS, Governor.

A. C. CROOM, Comptroller.

J. B. WHITFIELD, Treasurer.

B. E. McLIN, Commissioner of Agriculture.

Attest:

W. M. McINTOSH, JR.,

Secretary.

Tallahassee, Fla., October 2, 1902.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

J. B. Whitfield, Treasurer.

The Treasurer stated that the following bonds had been presented and the purchase thereof was authorized:

Four Jefferson county bonds, No. 125, 154, 288 and 289, of \$100.00 each.

Four Jefferson county bonds, No. 87, 93, 100 and 113, of \$500.00 each.

Seven Madison county bonds, No. 3, 26, 34, 46, 89, 115 and 116, of \$500.00 each, and one Madison county bond, No. 58, for \$100.00 and interest to October 4th, 1902, amounting to six thousand one hundred and ten 40-100 dollars.

An account of John McDougall, P. M., for stamped envelopes for Salesman's office, amounting to forty-two 40-100 dollars, was read and ordered paid.

The Trustees then adjourned.

W. S. JENNINGS, Governor.

A. C. CROOM, Comptroller.

J. B. WHITFIELD, Treasurer.

B. E. McLIN, Commissioner of Agriculture.

Attest:

W. M. McINTOSH, JR.,

Secretary.

Tallahassee, Fla., October 11, 1902.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

J. B. Whitfield, Treasurer.

B. E. McLin, Commissioner of Agriculture.

The following application was presented by Capt. R. E. Rose and Mr. Jas. M. Schumacher:

Jacksonville, Fla., Oct. 3rd, 1902.

At a meeting of the Board of Directors of the Florida East Coast Drainage and Sugar Company, held this day, it was moved and seconded, that, whereas, negotiations are now pending by which this Company expects to obtain the necessary funds, amounting to one million dollars, for the active prosecution of the work of drainage, and as the

securing of these funds is to a large extent dependent on the time in which the work of reclamation shall be begun and completed:

Resolved, That James M. Schumacher, fiscal agent, and R. E. Rose, Secretary, be directed to confer with the Board of Trustees of the Internal Improvement Fund of the State of Florida, and request the extension of the time limit of the contract with the State for two years from January first, nineteen hundred and three. Adopted.

A true copy of an extract from the minutes of the Board of Directors of the Florida East Coast Drainage and Sugar Company at a meeting held October 3d, nineteen hundred and two.

R. E. ROSE, Secretary."

Upon consideration it was

Resolved, That the Trustees decline to extend the time for compliance with the initial requirements of the contract made with the Florida East Coast Drainage and Sugar Company for the drainage, reclamation and purchase of lands of the Internal Improvement Fund, it being the judgment of the Trustees that the lands embraced in said contract should not be disposed of on terms less favorable to the Fund than similar lands in the same locality are being disposed of for drainage and reclamation.

The Treasurer stated that, under the direction of the Trustees, the following bonds had been purchased:

Two Madison county bonds, No. 17 and 18, of \$100.00 each.

One Jefferson county bond, No. 157, of \$100.00 and interest to October 1st, 1902, for three hundred and five 63-100 dollars.

An account of M. J. Bryan, Clerk Circuit Court of Lafayette county, for recording deed of L. & N. R. R. Company to Trustees I. I. Fund, amounting to one 25-100 dollars, was presented and ordered paid.

The following resolution adopted October 8th, 1902, and not recorded, was ordered spread upon the minutes:

At a meeting of the Board of Trustees of the Internal Improvement Fund of the State of Florida, Oct. 8, 1902, there being present Treasurer Whitfield, Comptroller Croom and Commissioner McLin, it was ordered that the Commissioner of Agriculture, B. E. McLin, be authorized to purchase such safe or vault as he finds necessary for

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the proper care and protection of the land records, etc., in the new offices set apart for his Department, and report result of the purchase to this Board.

The Trustees then adjourned.

W. S. JENNINGS, Governor.

A. C. CROOM, Comptroller.

J. B. WHITFIELD, Treasurer.

B. E. McLIN, Commissioner of Agriculture

Attest:

W. M. McINTOSH, JR.,

Secretary.

Tallahassee, Fla., October 17, 1902.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

J. B. Whitfield, Treasurer.

An application was presented from Geo. W. Hopkins, requesting permission to drain Lake Washington so as to render the adjacent lands fit for cultivation, which was ordered to be filed.

Upon consideration of said application it is

Resolved, That the Trustees of the I. I. Fund have no objection to the drainage of the lands mentioned in the application, provided the United States Government consents thereto, and provided it is expressly understood and asserted that the Trustees assume no obligation, liability or responsibility of any kind to any party or interest for the results of such drainage and the Trustees expressly reserve all property or other rights belonging to or imposed upon them by law or by contract; this consent to such drainage being simply permissive without consideration or responsibility.

The account of F. W. Marsh, Clerk U. S. Circuit and District Courts, Northern District of Florida, for copy of bill of complaint *in re* L. & N. R. R. Co. vs. W. S. Jennings, *et al.*, Trustees of the I. I. Fund of Florida, amounting to fourteen 85-100 dollars, was read and ordered to be paid.

The Trustees then adjourned.

W. S. JENNINGS, Governor.

A. C. CROOM, Comptroller.

J. B. WHITFIELD, Treasurer.

B. E. McLIN, Commissioner of Agriculture.

Attest:

W. M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., October 28, 1902.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

J. B. Whitfield, Treasurer.

The following accounts were presented and ordered paid:

The Daily Capital, for printing for Salesman's Office, seven 50-100 dollars.

E. C. Dearborn, Clerk Circuit Court of Dade county, for preparing papers in swamp land investigation, two dollars.

Reuben Crane, for services and expenses in swamp land investigation, ten 30-100 dollars.

H. H. Gause, for services as witness in swamp land investigation, two dollars.

The Trustees then adjourned.

W. S. JENNINGS, Governor.

A. C. CROOM, Comptroller.

J. B. WHITFIELD, Treasurer.

B. E. McLIN, Commissioner of Agriculture.

Attest:

W. M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., November 1, 1902.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

J. B. Whitfield, Treasurer.

Accounts were presented and ordered to be paid as follows:

Geo. Fox, for expenses of witnesses in swamp land contest, nine 15-100 dollars.

E. C. Weeks, U. S. Surveyor General, for tracing and field notes for use of Salesman, one dollar.

The Trustees then adjourned.

W. S. JENNINGS, Governor.

A. C. CROOM, Comptroller.

J. B. WHITFIELD, Treasurer.

B. E. McLIN, Commissioner of Agriculture.

Attest:

W. M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., November 12, 1902.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

J. B. Whitfield, Treasurer.

W. B. Lamar, Attorney General.

B. E. McLin, Commissioner of Agriculture.

The following accounts were presented and ordered to be paid:

A. A. Stewart, Clerk Circuit Court of Brevard county, for certified copy of deed from E. A. Studwell to Trustees, twenty-three dollars.

James Maley, for cement floor, etc., in vault adjoining I. I. Room in basement of Capitol, two hundred and one 66-100 dollars.

The Daily Capital, for printing volume one of Minutes I. I. Fund and binding fifty copies thereof in law sheep, three hundred and eighty 80-100 dollars.

The Trustees then adjourned.

W. S. JENNINGS, Governor.

A. C. CROOM, Comptroller.

J. B. WHITFIELD, Treasurer.

B. E. McLIN, Commissioner of Agriculture.

W. B. LAMAR, Attorney General.

Attest:

W. M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., November 17, 1902.

The Trustees of the Internal Improvement Fund met in the Executive Office with the following members present:

W. S. Jennings, Governor.  
 A. C. Croom, Comptroller.  
 J. B. Whitfield, Treasurer.  
 W. B. Lamar, Attorney General.  
 B. E. McLin, Commissioner of Agriculture.

An application was presented from Jones & Jones, Attorneys-at-Laws, Orlando, Fla., for the privilege of fishing in Lake Apopka and upon consideration thereof, it was Resolved that the Trustees decline to grant the right asked for.

The Trustees then adjourned.

W. S. JENNINGS, Governor.  
 A. C. CROOM, Comptroller.  
 J. B. WHITFIELD, Treasurer.  
 B. E. McLIN, Commissioner of Agriculture.  
 W. B. LAMAR, Attorney General.

Attest:

W. M. McINTOSH, JR.,  
 Secretary.

Tallahassee, Fla., November 28, 1902.

The Trustees of the Internal Improvement Fund met with the following members present:

W. S. Jennings, Governor.  
 A. C. Croom, Comptroller.  
 J. B. Whitfield, Treasurer.  
 W. B. Lamar, Attorney General.  
 B. E. McLin, Commissioner of Agriculture.

The Comptroller stated that he had received an invoice for the fire and burglar proof safe that he had been directed to order for the Trustees and presented a bill of the Hibberd-Rodman-Ely Company for \$2,150.00 to cover the cost of said safe delivered in the building. On motion the bill was ordered paid.

The Trustees then adjourned.

W. S. JENNINGS, Governor.

A. C. CROOM, Comptroller.

J. B. WHITFIELD, Treasurer.

B. E. McLIN, Commissioner of Agriculture.

W. B. LAMAR, Attorney General.

Attest:

W. M. McINTOSH, JR.,

Secretary.

Tallahassee, Fla., November 29, 1902.

The Board met in the Executive Office.

Present: W. S. Jennings, Governor.

J. B. Whitfield, Treasurer.

W. B. Lamar, Attorney General.

B. E. McLin, Commissioner of Agriculture.

Hon. B. E. McLin, Commissioner of Agriculture, has informed the Trustees of the Internal Improvement Fund that Col. S. I. Wailes had made application to him for the issuance of deeds to certain lands as compensation for services rendered; whereupon it is

Resolved, That Col. S. I. Wailes be requested to furnish to the Trustees at his earliest convenience his accounts in detail for any and all claims or charges of whatsoever nature, kind or amount against the Trustees of the Internal Improvement Fund or against any of the properties or funds in the custody of the said Trustees. In cases in which the claims for procuring the issue of patents to swamp and overflowed lands are made the patents on which the claims are made and the lands on which a commission is claimed should be identified and given in detail and in claims for other services to file a written statement showing in detail the date and service rendered identifying the lands by proper description for which compensation is claimed and if for any other service for the Trustees to file a written statement showing the authority for such service, the terms and conditions of employment, the amount of compensation claimed, setting forth in detail the services rendered for which such compensation is claimed.

Resolved further, That Col. S. I. Wailes is requested to furnish abstracts of deeds issued to him or to his order, giving the number and date of said deeds and the number



of acres embraced therein which have been conveyed to him by the Trustees as compensation for services.

Resolved further, That the Commissioner of Agriculture is hereby directed to issue no further or other deeds to Col. S. I. Wailes for services of any kind until the further order of the Trustees, and that Col. S. I. Wailes be furnished a copy of this order.

The following letter of transmittal of the foregoing resolutions was ordered spread upon the minutes:

Tallahassee, Nov. 29th, 1902.

Hon. S. I. Wailes,

Tallahassee, Fla.

Dear Sir:—I hand you a copy of a resolution passed by the Trustees of the Internal Improvement Fund, which bears date of Nov. 29th, 1902, and is self explanatory.

Will you please acknowledge receipt of same?

Very respectfully,

(Signed) B. E. McLIN,  
Commissioner of Agriculture.

The Board then adjourned.

W. S. JENNINGS, Governor.

J. B. WHITFIELD, Treasurer.

W. B. LAMAR, Attorney General.

B. E. McLIN, Commissioner of Agriculture

Attest:

W. M. McINTOSH, JR.,

Secretary.

Tallahassee, Fla., December 4, 1902.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

J. B. Whitfield, Treasurer.

W. B. Lamar, Attorney General.

B. E. McLin, Commissioner of Agriculture.

The bill of F. B. Bell for \$89.05 for services in prosecuting and collecting for trespass in a claim against the Cypress Lumber Co. was presented and ordered paid.

The Trustees then adjourned.

W. S. JENNINGS, Governor.

A. C. CROOM, Comptroller.

J. B. WHITFIELD, Treasurer.

B. E. McLIN, Commissioner of Agriculture.

W. B. LAMAR, Attorney General.

Attest:

W. M. McINTOSH, JR.,

Secretary.

Tallahassee, Fla., December 12, 1902.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

J. B. Whitfield, Treasurer.

W. B. Lamar, Attorney General.

B. E. McLin, Commissioner of Agriculture.

The following was presented to the Trustees by Messrs. Jas. M. Schumacher, Guy R. Pride and R. E. Rose, with the request that the proposition suggested therein be accepted:

"Jacksonville, Fla., Dec. 8, 1902.

At a meeting of the Board of Directors of the Florida East Coast Drainage and Sugar Company held this day, on motion it was resolved:

That Messrs. James M. Schumacher, Guy R. Pride and R. E. Rose be appointed a committee to visit Tallahassee and submit a proposition to the Honorable Board of Trustees of the Internal Improvement Fund to purchase the territory embraced in the contract of this company with the State of Florida on a basis of 30c per acre, payable 10 per cent. within 90 days, 40 per cent. within six months of the first payment and 50 per cent. six months thereafter, with an agreement to drain the territory as per contract.

Be it further resolved that this committee be authorized to modify or change the terms as above outlined and fully authorized to close a contract with the Board of Trustees looking toward the purchase and drainage of the company's territory.

Extract from the minutes of the meeting held this day.

(Signed) R. E. ROSE,  
Secretary."

Upon consideration the following was adopted:

Resolved, That it is the policy of the Trustees to secure the drainage and reclamation of the swamp and overflowed lands belonging to the Internal Improvement Fund by making sales of portions of such lands for cash to parties who will undertake to drain the purchased lands, the proceeds of such sales to be used for the purposes of the trust. It is therefore upon consideration of the proposition made by Messrs. Schumacher, Pride and Rose the conclusion and determination of the Trustees not to make a sale of so large a body of swamp and overflowed lands upon terms which extend the time for payments as asked for in said application.

The Trustees then adjourned.

W. S. JENNINGS, Governor.

A. C. CROOM, Comptroller.

J. B. WHITFIELD, Treasurer.

B. E. McLIN, Commissioner of Agriculture.

W. B. LAMAR, Attorney General.

Attest:

W. M. McINTOSH, JR.,

Secretary.

Tallahassee, Fla., December 16, 1902.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

J. B. Whitfield, Treasurer.

W. B. Lamar, Attorney General.

B. E. McLin, Commissioner of Agriculture.

An application was presented by Col. John A. Henderson on behalf of the Atlantic, Suwannee River and Gulf Railway Co. to have an engineer designated to examine and report upon the construction of its line of railway from the twenty (20) mile post west of Starke to the Suwannee River. After duly considering said application Mr. H. S. Duval was appointed such engineer and the Secretary was instructed to so notify him.

The Trustees then adjourned.

W. S. JENNINGS, Governor.

A. C. CROOM, Comptroller.

J. B. WHITFIELD, Treasurer.

B. E. McLIN, Commissioner of Agriculture.

W. B. LAMAR, Attorney General.

Attest:

W. M. McINTOSH, JR.,

Secretary.

Tallahassee, Fla., December 17, 1902.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

J. B. Whitfield, Treasurer.

W. B. Lamar, Attorney General.

B. E. McLin, Commissioner of Agriculture.

It having been represented by the Commissioner of the General Land Office of the United States by letters "K" of April 5th and August 8th, 1902, to the Register and Receiver which were transmitted by them to the Commissioner of Agriculture of the State of Florida, that N. E.  $\frac{1}{4}$  of N. E.  $\frac{1}{4}$  (or N.  $\frac{1}{2}$  of Lot 1 of Sec. 11,) and the N. W.  $\frac{1}{4}$  of N. W.  $\frac{1}{4}$  (or N.  $\frac{1}{2}$  of lot 4) of Sec. 12, T. 4 S., R. 16 E., was embraced in Newnansville Cash Entry No. 2,657 by James M. Cathey June 2nd, 1854, and that R. J. Hill, the present claimant, through mesne conveyances from the said Cathey for more than fifteen years and that the United States Government erroneously included said lands in Swamp Land Patent No. 114 bearing date of October 22nd, 1896, and requesting the State to reconvey the same to the U. S. Government in order to perfect the title of the said James Cathey, it is ordered that the Commissioner of Agriculture prepare a quit-claim deed to the United States Government for the above described land.

The Trustees then adjourned.

W. S. JENNINGS, Governor.

A. C. CROOM, Comptroller.

J. B. WHITFIELD, Treasurer.

B. E. McLIN, Commissioner of Agriculture.

W. B. LAMAR, Attorney General.

Attest:

W. M. McINTOSH, JR.,

Secretary.

Tallahassee, Fla., December 19, 1902.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.  
A. C. Croom, Comptroller.  
J. B. Whitfield, Treasurer.  
W. B. Lamar, Attorney General.  
B. E. McLin, Commissioner of Agriculture.

A bill of J. E. Parish for \$108.00 for iron vault door and building base of vault in Salesman's Office, was presented and ordered paid.

The Trustees then adjourned.

W. S. JENNINGS, Governor.  
A. C. CROOM, Comptroller.  
J. B. WHITFIELD, Treasurer.  
B. E. McLIN, Commissioner of Agriculture.  
W. B. LAMAR, Attorney General.

Attest:

W. M. McINTOSH, JR.,  
Secretary.

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Tallahassee, Fla., December 22, 1902.

The Trustees met with the following members present:

W. B. Lamar, Attorney General.  
J. B. Whitfield, Treasurer.  
B. E. McLin, Commissioner of Agriculture.

Hon. B. E. McLin, Commissioner of Agriculture, was authorized to sell the S. W.  $\frac{1}{4}$  of N. E.  $\frac{1}{4}$ , S. E.  $\frac{1}{4}$  of N. W.  $\frac{1}{4}$  of Sec. 25, N. E.  $\frac{1}{4}$  and W.  $\frac{1}{2}$  of S. E.  $\frac{1}{4}$  of Sec. 35, T 20 S., R. 18 E., to Robert J. Knight through Samuel W. Teague, at 75c per acre.

The Trustees then adjourned.

W. S. JENNINGS, Governor.  
A. C. CROOM, Comptroller.  
J. B. WHITFIELD, Treasurer.  
B. E. McLIN, Commissioner of Agriculture.  
W. B. LAMAR, Attorney General.

Attest:

W. M. McINTOSH, JR.,  
Secretary.



Tallahassee, Fla., January 8, 1903.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

J. B. Whitfield, State Treasurer.

W. B. Lamar, Attorney General.

B. E. McLin, Commissioner of Agriculture.

It was ordered that the Commissioner of Agriculture, B. E. McLin, give to Mr. Samuel W. Teague a letter of authority to represent the Trustees as their agent to inspect the lands now under investigation by the Agent of the General Land Office at Washington, D. C., one list as filed with the Commissioner relating to Indemnity for Swamp lands sold by the Government, and one list relating to Swamp Lands proper; the Board agreeing to pay the said Teague twenty-five per cent. of the amount secured from the indemnity list, and to guarantee that a sufficient amount shall inure to him to pay his expenses at least, while making the investigation and obtaining the proper proofs. The Board further agreed to refer to the judgment of the said Teague as to what tracts should be waived by the Commissioner. In the matter of the Swamp List proper, the Board agreed to pay the said Teague his expenses and reasonable compensation for his services while doing this work.

The Comptroller, A. C. Croom, is directed to draw a check in favor of the said Teague for the sum of \$100.00, out of the funds belonging to the Internal Improvement Fund, to be used by the said Teague in this work as expenses.

A bill of Gilmore & Davis Co., for building case in I. I. office and for shelving, desk, cases, etc., in vault annexed thereto, \$227.50, was presented and ordered paid.

It is further ordered that the Comptroller, A. C. Croom, issue a check for \$3.00 in favor of Frank E. Saxon, Clerk of the Circuit Court of Hernando County, for recording a deed of re-conveyance to the Trustees and cancelling tax sales on same. Voucher here attached.

The Commissioner of Agriculture represented to the Board that Voucher No. 878 for the year 1902 in the Comptroller's Office, for the sum of \$72.00, had been erroneously charged to the appropriation for printing in the Agricultural Department, the same being a bill of I. B. Hilson, State Printer, for printing land lists in the land depart-

ment; thereupon the Board ordered that Hon. A. C. Croom pay said bill of \$72.00 out of the Internal Improvement Fund, as per Voucher No. 878 on file in his office.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
W. M. McINTOSH, JR.,  
Secretary.

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Tallahassee, Fla., January 13, 1903.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.  
J. B. Whitfield, Governor.  
B. E. McLin, Commissioner of Agriculture.  
W. B. Lamar, Attorney General.

The present plat of the survey, as appears from the records of the Commissioner of Agriculture's office, of what is known as Forbes' Island, in the Apalachicola River, Florida, has been questioned, and is supposed to be erroneous. The Commissioner of Agriculture is hereby authorized by the Trustees of the Internal Improvement Fund to procure from the Surveyor General, at Tallahassee, a certified copy of the field notes for township six (6) south, of range 8 west; a copy of the plat of Forbes' Island dated 1839 (Kerr's Survey); also copy of plat dated in 1852 (Well's Survey), and to cause to be surveyed by a competent local surveyor, the said Forbes' Island with reference to these maps and field notes above referred to, and to make a plat thereof showing the present boundaries by the usual form of subdivisions, sections, quarter-sections, etc., under the instruction of the Commissioner of Agriculture.

A communication was received, addressed to The Honorable the Trustees of the Internal Improvement Fund, dated Tallahassee, January 13, 1903, from F. B. Bell, which is as follows:

"Tallahassee, Fla., Jan'y. 13, 1903.

"To the Honorable the Trustees of the Internal Improvement Fund.

"Gentlemen: I have the honor to call your attention to the following state of facts: There are a number of

claims of the State against trespassers, and parties purchasing logs of trespassers, covered by my contract with your Honorable Body, set forth on page 401 of the current minutes of the said Board, which trespasses extend back over a period of from one to ten years, and more. To establish these claims it will be necessary to obtain evidence of the trespasses from the employees and laborers employed by the prospective defendants. As the law is very well settled as to the responsibility of the trespassers, and purchasers from them of timber, and as to the measure of damages, practically the only difficulty in the way of recovery is the proof of trespasses and the collection of judgments after they are obtained. These difficulties, however, are by no means insignificant, and the greater is the obtaining of evidence. To obtain this evidence great tact is necessary, and it will be at once evident that, to clinch the evidence, it will be necessary in almost every case for counsel who will conduct the suits, to see the witnesses in person and have them subscribe to affidavits as to the facts connected with the location of the trespasses; and, as the witnesses live at considerable distances from each other, it will take a great deal of time for the Attorney employed to look after the matter, as well as require some knowledge on the part of such Attorney of the witnesses relied on.

"I have the honor to suggest that—as these classes of claims, where the logs have been sawed for a longer period than a year—it would expedite matters if your Honorable Body would give me a general authority to employ counsel on a contingent fee, not to exceed one-third gross of the amount recovered, less the expenses paid out by the State up to the time of the recovery, or contracted to be paid out by the State at that time. As my interests under the former contracts are identical with the State, I am equally interested with the State in seeing that only a reasonable allowance be made to counsel in connection with these somewhat antiquated causes of action; and I will state that, from an extensive knowledge of this kind of litigation, I am clearly of the opinion that the one-third suggested for counsel is very reasonable. In cases particularly clear and free from difficulty, such a contract or authority would leave me with the discretion of contracting with counsel for a less percentage, which, of course, it would be my duty, as well as my interest, to do.

I have one particular case in mind, which I have stated to several of your Honorable Body, and others, which I will be able to get in shape shortly. I do not mention these specifically because, as this application will become a part of the public records, the prospective defendants might obtain considerable advantage by anticipating suits, if they could obtain information connected with my purpose.

"In order to expedite matters and leave me in a position to bring suits at once, file garnishments, etc., I think it best that you give me some such general authority as suggested, and I herewith attach a form of authority supplementary to the aforesaid contract with me, in line with this application.

"Very respectfully,

"F. B. BELL."

In pursuance of said communication, it is

*Resolved*, That the application of F. B. Bell, heretofore employed by the Board at the meeting of September 15, 1902, to recover certain timber taken from State lands, which application shows the necessity of employing counsel, to be selected by him, to collect claims of the State against trespassers on the State's lands, and against persons and corporations to whom such trespassers have sold timber so cut, where such claims are for timber cut and sawed and removed from the land over a year prior to said date, and extending back to timber cut five, ten and twelve years, and more, ago; and in cases where the State will be compelled to rely for evidence on the employees of the trespassers in a large measure, and will probably have difficulty in collecting judgments after they have been obtained; the said Bell is authorized to employ counsel to sue for and collect such claims as above described, and to contract with such counsel to pay him one-third of the gross amount collected, less the moneys advanced by the said Trustees, for the prosecution of the respective suits. In other words: the amount collected in these suits, as above described, is to be divided into three equal shares, of which the Trustees are to receive one share, the said Bell one share and the counsel employed one share, out of which latter share is to be deducted, and returned to the Trustees, the moneys advanced or paid by the said Trustees for the prosecution of such suits. This general contract being made on account of the inexpediency of mak-

ing a special contract in each case, as such delay might impede the institution of suits and seizure of funds of the defendants. It being understood, however, that in cases considered free from difficulties, the said Bell is to employ counsel for a percentage less than one-third, where practicable. And it is further

*Resolved* by the Board of Internal Improvement Fund that the said F. B. Bell be authorized to contract with, and employ, counsel in all other matters not referred to herein, that may come within his contract with the Trustees of the Internal Improvement Fund, for the recovery of logs, timber, etc. A contingent fee or compensation not to exceed ten per centum of the amount actually recovered under any suit at law or proceeding that may be instituted for the recovery of logs, or the proceeds thereof under said contract, with the understanding that, should any extraordinary services be rendered by said counsel in any case or cases, the counsel may prepare a statement showing such services so rendered, and present the same to the said Trustees for their determination as to the reasonableness and justness of said claim.

It was ordered that Col. R. W. Williams and Col. John A. Henderson be paid the sum of \$500.00 each as retainer *in re* L. & N. R. R. Co. vs. the Trustees.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
W. M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., January 15, 1903.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

J. B. Whitfield, Treasurer.

B. E. McLin, Commissioner of Agriculture.

The following bonds were presented to the Board:

Five (5) Settlement Bonds of the State of Tennessee, issued by authority of an Act of the General Assembly, approved March 20th, 1883, numbered 7318, 7419, 8063, 11238 and 12835, of the denomination of One Thousand Dollars each, due July 1st, 1913, with interest at 3 per cent. per annum, payable semi-annually; and



Four (4) Settlement Bonds of the State of Tennessee, issued by authority of an Act of the General Assembly, approved March 20th, 1883, numbered 1750, 1751, 2950, and 3267, of the denomination of One Hundred Dollars each, due July 1st, 1913, with interest at 3 per cent. per annum, payable semi-annually.

Coupon due July 1st, 1903, on each of the above nine bonds.

All of said bonds, amounting to Five Thousand Four Hundred Dollars, were ordered to be purchased for the Sinking Fund Florida Railroad Bonds at 97½ cents on the dollar, amounting to Five Thousand Two Hundred and Sixty-five Dollars (\$5,265.00).

The Treasurer of the Trustees was ordered to collect the principal and interest of the Florida State Bonds held in the Sinking Fund of the Florida Railroad Bonds, amounting to Three Thousand Five Hundred and Two Dollars, and place the amount to the credit of said Fund.

The following accounts were ordered paid:

S. B. Chapin, for tracings and field notes for Salesman's Office, amounting to \$14.50.

F. W. Marsh, Clerk U. S. Circuit Court, for copy of supplementary bill of complaint *in re* L. & N. R. R. vs. Trustees, \$3.80.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.

W. M. McINTOSH, JR.,  
Secretary.

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Tallahassee, Fla., January 17, 1903.

The Trustees of the Internal Improvement Fund met in the Executive Office.

Present: W. S. Jennings, Governor.

J. B. Whitfield, Treasurer.

B. E. McLin, Commissioner of Agriculture.

The Commissioner of Agriculture presented a proposition for the purchase of certain lands described therein, which proposition is as follows:

10 I I. Vol. V.

"Tallahassee, Florida, Jan'y. 17, 1903.

"Trustees of the Internal Improvement Fund,

"Tallahassee, Florida.

"Gentlemen: I desire to purchase the unsurveyed parts of sections 3, 4, 5, 6, 7, 8, 9, 10, 15 and 16, in township 6, south, of range 8 west, containing by estimation 3600 acres of land, be the same more or less, and lying north of the brick yard cut-off north of Forbes' Island, in the Apalachicola River, situated in Calhoun County, Florida; and I hereby agree to pay the sum of \$3,000.00 cash for the lands above described, and a clearance of former timbers cut and removed under a tax title that I held from the State of Florida.

"Respectfully,

"J. S. HATHCOCK."

*Whereas*, It is shown to the Trustees by the Commissioner of Agriculture, from information he has gathered within the last few months, that the lands above referred to are of little or no value when the timber has been removed, and that the timber upon the said land has been heretofore deadened, and much of it cut or severed from the soil and would, therefore, soon depreciate in value, it is deemed to the best interest of the trust that this land be sold on account of the above conditions.

*And Whereas*, In prosecuting vigorous efforts to procure a settlement for past trespasses upon swamp and overflowed lands on the Apalachicola River, and to prevent further trespasses, it is the judgment of the Trustees that the interests of the fund can best be secured by a sale of the lands trespassed upon;

*Therefore be it Resolved*, That the Commissioner of Agriculture is hereby requested to prepare a deed of conveyance to all of the foregoing lands for the sum of three thousand dollars.

Mr. F. B. Bell recognizes the sale of the unsurveyed land north of Forbes' Island, in township six (6), range 8, west, containing fractional sections 15, 16, 10, 9, 8 and 7; the whole of sections 6 and 5, and fractional sections 4 and 3—subject to existing contracts, to-wit: (1) A contract with B. F. McDaniel, in sections 6 and 7, to take out floating and deadened timber at \$5.00 per thousand, delivered to the Cypress Lumber Company, of Apalachicola, Florida; and (2) A contract with Seth Hathcock,

in sections 3 and 4, and a part of section 5, 8 and 9, and fractional section 16, at \$5.00 per thousand for floaters and sinkers, delivered to the Cypress Lumber Company, aforesaid, for which they pay \$11.00 per thousand. The expenses to be paid by the Trustees of the Internal Improvement Fund, and Mr. Bell \$1,000.00 net, out of the gross receipts of the \$3,000.00.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.

W. M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., January 19, 1903.

The Trustees of the Internal Improvement Fund met in the Executive Office.

Present: W. S. Jennings, Governor.  
A. C. Croom, Comptroller.  
W. B. Lamar, Attorney General.  
J. B. Whitfield, Treasurer.  
B. E. McLin, Commissioner of Agriculture.

Mr. F. T. Myers appeared before the Trustees in behalf of R. G. Porter and W. P. McCormick, representing themselves as partners trading and doing business at Apalachicola, Florida, under the firm name of Porter & McCormick, and presented a proposition to purchase the unsurveyed portions of sections 21, 22, 27, 28, in township 6 south, of range 8 west, which is as follows:

"Tallahassee, Florida, January 19, 1903.

"Trustees of the Internal Improvement Fund,

"Tallahassee, Florida.

"Gentlemen: We desire to purchase the unsurveyed portions of sections 21, 22, 27 and 28, in township 6, south, of range 8 west; or all that part of said township lying between the south line of fractional section 15, extended east to what is known as, locally, the brick-yard cut-off on the north; the said cut-off on the east and south and the Brothers river on the west and north, for the sum of one thousand dollars. The purchase to be

with the understanding that they will be released from any liability for trespass heretofore committed on said lands.

"Respectfully,  
(Signed) "PORTER & McCORMICK."

*Whereas*, It is shown to the Trustees by the Commissioner of Agriculture, from information he has gathered within the last few months, that the lands above referred to are of little or no value when the timber has been removed, and that the timber upon said land has been deadened, and much of it cut or severed from the soil, and would, therefore, soon be worthless, it is deemed to the best interest of the Trust that this land be sold on account of the above conditions; and,

*Whereas*, in prosecuting vigorous efforts to procure a settlement for past trespasses upon swamp and overflowed lands on the Apalachicola River, and to prevent further trespasses, it is the judgment of the Trustees that the interests of the Fund can best be secured by sale of lands trespassed upon; Therefore be it

*Resolved*, That the proposition be accepted, and the same is hereby accepted, and the Commissioner of Agriculture is hereby requested to prepare a deed of conveyance of the foregoing lands for the sum of one thousand dollars; and be it further

*Resolved*, That the said R. G. Porter and W. P. McCormick be relieved from any liability of former trespasses on said above described lands, committed by them or their Agents, for and in consideration of the above sum of money.

Mr. F. B. Bell, Agent of the said Trustees, under contract dated September 15, 1902, and the matters and things growing out of said authority and contract, having rendered the services and brought about the negotiations just closed, as specially referred to in the minutes of the said Trustees of January 17, 1903, under the proposition to purchase the lands described in the proposition submitted by J. S. Hathcock for the sum of three thousand dollars, and the proposition submitted January 19, 1903, by Porter and McCormick for the purchase of the lands described in the proposition submitted by them, amounting to one thousand dollars, and agrees and con-



sents to accept, for his pay a reasonable compensation for the services rendered within the terms and under the provisions of his contract above referred to with the Trustees, the sum of one thousand dollars net out of the proceeds of said recovery of property so trespassed upon, as being clearly shown that the value of the property was in the deadened cypress trees upon the said described properties, all of which has been formerly trespassed upon, which is considered reasonable by the said Trustees, and is hereby accepted; and it is ordered that a warrant be drawn to his order for the sum of one thousand dollars as full fees and compensation for the services so rendered in connection with the lands and deadened timber mentioned and described in the two propositions above referred to; and the Commissioner of Agriculture is to take his final receipt in full therefor. It is further resolved that the Trustees defray and pay the expenses incident to the recovery for the deadened timber on these trespassed lands upon proper vouchers and bills being submitted by Mr. F. B. Bell.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
 W. M. McINTOSH, JR.,  
 Secretary.

Tallahassee, Fla., February 3, 1903.

The Trustees of the Internal Improvement Fund met in the Executive Office.

Present: W. S. Jennings, Governor.  
 A. C. Croom, Governor.  
 J. B. Whitfield, Treasurer.  
 B. E. McLin, Commissioner of Agriculture.

The Commissioner of Agriculture presented a letter and statement made February 1, 1903, addressed to him and signed by the Agent of the Trustees, F. B. Bell, relative to seizing logs and deadened timber in Calhoun County on the SW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Sec. 11, T. 23 S., R. 9 W., amounting to 17 pieces containing 5,471 feet, as per statement rendered, netting \$31.83 after paying the ex-



penses of survey and delivery of deadened timber to market at Apalachicola; and

*Whereas*, The said Agent, F. B. Bell, is entitled, under his contract heretofore made with the Trustees, to 50 per cent of the net proceeds from said seized timber upon the trespassed lands as aforesaid;

*It is therefore resolved*, by the Trustees of the Internal Improvement Fund, that the check made payable to the Commissioner of Agriculture for net proceeds, \$31.83, be turned over to the Trustees, and that the Trustees cause a warrant to be issued in favor of F. B. Bell for \$15.91 in payment for his fees and services under the terms of his contract aforesaid.

The Commissioner of Agriculture also presented a letter addressed to the Board of Trustees of the Internal Improvement Fund, signed by F. B. Bell, Agent, relative to payment of a reasonable compensation to C. H. B. Floyd, Esq., of the Apalachicola bar, for professional services rendered to the Trustees of the Internal Improvement Fund, as follows:

"Wewahitchka, Fla.

"Hon. Board of Trustees of the State of Florida, at Tallahassee.

"Hon. Sirs: In consideration of the valued service rendered to the State by Capt. C. H. B. Floyd's discovery in the Surveyor Gen'l's Office of the original plat of the survey of Forbes' Island in the Apalachicola River, Franklin Co., whereby the said Hon. Board of Trustees were enabled to locate the unsurveyed lands in Secs. 21, 22, 27 and 28, T. 6 S., R. 8 W., and sell the same to Porter and McCormick, I, for above said reason, would respectfully ask that the Hon. Board of Trustees pay to Capt. C. H. B. Floyd the sum of fifty dollars, \$50.00, for the above mentioned services.

"Yours very truly,

"F. B. BELL,

"State Agent."

Whereupon, after due consideration of the communication aforesaid,

*It is Resolved*, by the Trustees that a check be drawn in favor of C. H. B. Floyd, in accordance with the re-

quest of F. B. Bell, Agent, for the sum of \$50.00, for professional services rendered in the matter referred to in the Agent's communication.

The Commissioner of Agriculture also presented a bill of Mr. John McDougall, Postmaster, dated January 31, 1903, for 3,000 one cent stamps, \$30.00.

In consideration whereof, it is resolved that the same be ordered paid and that a check issue therefor.

The Commissioner of Agriculture presented a communication addressed to him, dated February 1, 1903, signed F. B. Bell, State Agent, as follows:

"Wewahitchka, Fla., Feb. 1st, 1903.

"Hon. B. E. McLin,

"Commissioner Agriculture, Tallahassee, Fla.

"Dear Sir: On investigation after survey of sections 29 and 32, T. 1 S., R. 8 W., I find that Jonas Martin has deaden and most all cut 50 cypress trees on the NW $\frac{1}{4}$  of NW $\frac{1}{4}$ , Sec. 29.

"Giles McNully and David Martin have 40 to 50 cy trees deaden on the S $\frac{1}{2}$  of SW $\frac{1}{4}$  and SW $\frac{1}{4}$  of SW $\frac{1}{4}$  of Sec. 29.

"Langford and Covington have boxes cut for turpentine on S $\frac{1}{2}$  of SW $\frac{1}{4}$  and SW $\frac{1}{4}$  of SE $\frac{1}{4}$ , Sec. 29 and W $\frac{1}{2}$  of NW $\frac{1}{4}$  and W $\frac{1}{2}$  of SE $\frac{1}{4}$ , Sec. 32, all in T. 1 S., R. 8 W., Calhoun Co. I am now having the boxes counted. The Hon. Salis S. Yon, one of Calhoun Co. County Commissioners, sold the cypress dead on the S $\frac{1}{2}$  of SW $\frac{1}{4}$  and SW $\frac{1}{4}$  of SE $\frac{1}{4}$ , Sec. 29, to Giles McNully and David Martin for \$40.00, and I find he has had several other lots of logs removed from these lands, both pine and cypress; and I also find that he leased the pine to Langford & Covington that they have boxed on the lands, except the NW $\frac{1}{4}$  of NW $\frac{1}{4}$ , Sec. 29, which was leased to Covington & Langford by Jonas Martin, who now has the cy deaden on this NW $\frac{1}{4}$  of NW $\frac{1}{4}$ , Sec. 29, 1-8 S. and W. Please have the Trustees to direct me to have the above cypress trees and logs taken out.

"Yours very truly,

"F. B. BELL,  
"State Agent."

In consideration whereof, It is resolved that Mr. F. B. Bell, Agent of the Trustees, be and he is hereby authorized and directed to proceed to have the deadened cypress trees and logs found upon the lands described in his communication, belonging to the Trustees of the Internal Improvement Fund, removed from the lands aforesaid and sold under the provisions of his contract with the Trustees, and report his acts and doings in this behalf to the Trustees.

It was ordered, That the sum of one hundred dollars be paid to S. W. Teague on account expenses investigating swamp indemnity lands.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
W. M. McINTOSH, JR.,  
Secretary.

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Tallahassee, Fla., February 5, 1903.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

J. B. Whitfield, Treasurer.

W. B. Lamar, Attorney General.

B. E. McLin, Commissioner of Agriculture.

The following communication from Governor W. S. Jennings was read and ordered spread on the minutes:

"Tallahassee, February, 5, 1903.

"The Honorable, The Trustees of the Internal Improvement Fund of the State of Florida, Tallahassee, Fla.

"Gentlemen: On investigation of the legal title and conveyances of the lands, buildings, appurtenances and properties of the lands whereon is located and situated the Florida Hospital for the Insane, which are described as follows: Sections 34, 35 and the east half of the north east quarter, and the east half of the south east quarter of section 33; also, fractional sections 29, 28, 27, 26 and 25, in township 4, north, range 6, west, situated in Gadsden county, State of Florida, discloses some irregularities and raises a question of uncertainty as to the legal

title to said lands and properties, as will more fully appear by reference to Special Order No. 57, dated St. Augustine, Florida, October 9, 1868, issued by the War Department, Bureau of Refugees, Freedmen and Abandoned Lands in Florida, and an order addressed to Col. John T. Sprague, assistant commissioner, St. Augustine, Florida, dated Washington, September 24, 1868, signed F. D. Sewell, Acting Assistant Adjutant General of the United States, and an Act of Congress donating the Chattahoochee Arsenal to the State of Florida, approved December 15, 1870; decision of the Judge Advocate General of the United States Army, as referred to in communication addressed to the Attorney General of Florida, dated Washington, October 25, 1877, signed S. V. Benet, Brigadier General, Chief of Ordnance, and other references to the title of said lands,—it being clearly shown, as it appears to my mind, that these lands were intended by the orders of the War Department, the authorities of the U. S. Government and the Congress of the United States, to be donated in fee-simple to the State of Florida; and, in order to set at rest any question about the title and to make more certain the insurance on said property, and a perfect title—in view of the permanency of the Hospital plant and the large expenditures of State moneys appropriated by the Legislature of Florida for its improvement—I deem it proper to request of you, as the Trustees of the Internal Improvement Fund of Florida, a deed of conveyance to said lands and properties to the State of Florida.

"I have the honor to remain,

"Very respectfully,

(Signed) "W. S. JENNINGS,

"Governor."

A deed having been prepared and executed in accordance with the foregoing recommendation, it was ordered spread upon the minutes.

STATE OF FLORIDA, }  
LEON COUNTY. }

Conveyance of lands from the Trustees of the Internal Improvement Fund of the State of Florida to the State of Florida.

WHEREAS, The Florida Hospital for the Insane, located at Chattahoochee, is situated on a tract of land formerly known as the Chattahoochee Arsenal, which was granted under the official communication as follows:

"Headquarters District of Florida,

"Bureau R. F. & A. Lands,

"St. Augustine, Fla., Oct. 9, 1868.

"SPECIAL ORDERS NO 57.

"The following communication from the War Department, Bureau R. F. & A. (Refugees, Freedmen and Abandoned Land) is published for the information of the Governor of the State of Florida:

"War Department, Bu. R. F. & A. Lands,

"Washington, Sept. 24, 1868.

"Colonel John T. Sprague,

"Assistant Commissioner,

"St. Augustine, Florida.

"Colonel: I am directed by the Commissioner to instruct you to transfer the custody of the "Chattahoochee Arsenal," now in temporary possession of this Bureau, to the Governor of Florida, to be used for educational purposes. This property was turned over to this Bureau for temporary use by the Ordnance Department until Congress should provide for its final disposition. You will transfer it with the same limitation, to such Agent as the Executive of the State shall designate to take charge of it.

"Very respectfully, your obedient servant,

"F. D. SEWELL,

"Acting Asst. Adjutant General."

"Bvt. Major Allan H. Jackson, U. S. A., Disbursing Officer, B. R. F. & A. L., is charged with carrying out the instruction contained in the above communication. He will transfer the buildings and grounds of the U. S. Arsenal at Chattahoochee, for the purpose above specified, to such Agent as the Governor of the State of Florida may



appoint to receive them, giving invoices and taking receipts therefor.

"By order of Colonel Jno. T. Sprague,

Imprint of the  
Seal of the Record  
and Pension Office  
War Department. }

"Assistant Commissioner

"(Not signed)

"Lieut. 7th Infy., Bvt., Maj. U. S. A.,

"A. A. A. G."

AND WHEREAS, The land now held and occupied by the State, formerly known as the "Chattahoochee Arsenal," later as the Insane Asylum, now known as the Florida State Hospital, came into the possession of the State of Florida in 1868, by virtue of Special Order No. 57, issued from the War Department, Bureau Refugees, Freedmen and Abandoned Lands, as above set forth at length; and

WHEREAS, subsequently Congress passed the following law, Chapter 3, U. S. Statutes at Large, Volume 16, page 396, entitled "An Act Donating Chattahoochee Arsenal to the State of Florida for Educational Purposes," approved December 15, 1870:

"Section 1. *Be it Enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the public property, with the grounds, buildings and appurtenances thereto belonging, situated in Gadsden County, in the State of Florida, and known as the 'Chattahoochee Arsenal', and at present occupied by said State as penitentiary, be, and the same are (is) hereby granted and donated to the State of Florida for educational purposes.

"Section 2. *And be it further enacted,* That the Secretary of War is hereby authorized and directed to transfer said property to the Board of Internal Improvement of the State of Florida, to be held by them in trust for the use, benefit and execution of the purposes of the grant, or for such other public purpose as said Board may deem proper."

AND WHEREAS, The United States authorities did not execute a deed or patent to the said lands and prop-

erties referred to in accordance with the terms of said Act of Congress, the application was made by the Attorney General of the State of Florida on or about the 28th day of August, and on or about the 15th of September, 1877, for such conveyance of title; but it was then decided that no formal deeds were necessary to be given the State of Florida under said Act, as will appear by the following communication dated Washington, D. C., October 25, 1877, signed by S. V. Benet, Brigadier General, Chief of Ordnance:

"Ordnance Office, War Department,  
"Washington, Oct. 25, 1877.

"The Attorney General of the State of Florida,  
"Tallahassee, Fla.

"Sir: The Judge Advocate General of the Army, to whom has been referred your communication of August 28th and September 15th, has expressed to the Secretary of War an opinion that the State authorities of Florida having been in actual occupation of the lands and buildings of the Apalachicola (or Chattahoochee) Arsenal at the date of the Act of Congress of December 15, 1870, donating them to the State for educational purposes, the United States could not thereafter sell the same as their own property. He also holds, upon the strength of 11th Vol. Opinions of the Attorney General, p. 49, that no formal deed is necessary to be given to the State of Florida under said Act. The Secretary of War has therefore, decided that no action seemed to be necessary in the case but to take a receipt for the property which has been lawfully turned over. The 'lands' of the Apalachicola Arsenal were reserved by the President of the United States from the public domain under dates of November 3rd, 1832 and October 30, 1833, and will be found fully described in the records of the 'Land District of The West Territory of Florida' for these years. The 'buildings' located on these lands on December 15, 1870, necessarily go with the lands into the ownership of the State. The 'appurtenances' of the lands are embraced in a deed of J. W. King, Attorney for Daniel Matchett, dated February 17, 1834, and recorded in Book B, p. 37, in the Clerk's Office of Gadsden County Court.

"In pursuance of the decision of the Secretary of War, I have, therefore, to request that the proper authorities, constituting the Board of Internal Improvement of the State of Florida, will file in this office a suitable acknowledgement of receipt of the foregoing property which has been turned over to them.

"Respectfully, your obedient servant,

(Signed) "S. V. BENET,

"Brigadier General, Chief of Ordnance."

AND WHEREAS, It is evident that it was the intention of the United States authorities, as well as the Congress of the United States, to donate the said lands, buildings, appurtenances and properties, as described, mentioned and referred to in said order and Act of Congress, and the communications aforesaid, to the State of Florida, and that it was not intended to vest any rights, title or interest in said lands, buildings, appurtenances or properties in the Trustees of the Internal Improvement Fund, or the "Board of Internal Improvement of the State of Florida," or to vest in them any control or possession thereof; and

WHEREAS, The Trustees of the Internal Improvement Fund have never been in possession thereof nor in the control of nor interested in said property as such Trustees; and, in order to correct any question of title to said premises, deem it proper that they should execute a deed of conveyance for a nominal consideration to the State of Florida to said lands, buildings and properties, the State of Florida having been put in possession of said properties in 1868, and has been in continuous possession thereof ever since that date, having established a permanent hospital for the insane on the land described and referred to, and expended large sums of money in the construction of valuable buildings in connection with the hospital, and other permanent improvements; Therefore,

WITNESSETH, That THIS INDENTURE, Made and entered into this the fourth day of February, A. D. 1903, by and between W. S. Jennings, Governor, A. C. Croom, Comptroller, J. B. Whitfield, Treasurer, W. B. Lamar,

Attorney General, and B. E. McLin, Commissioner of Agriculture, as Trustees of the Internal Improvement Fund of the State of Florida, parties of the first part, and the State of Florida, party of the second part, for and in consideration of the premises and of the sum of one dollar to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, the said Trustees of the Internal Improvement Fund of the State of Florida have granted, bargained and sold, and by these presents do grant, bargain, sell and convey, and confirm, unto the said State of Florida all of their right, title and interest and privilege in and to all that certain lot or lots, tracts or parcels of land situated, lying and being in the county of Gadsden, State of Florida, described as follows, towit: Sections thirty-four (34) and thirty-five (35) and the east half ( $E\frac{1}{2}$ ) of the north east quarter (N. E.  $\frac{1}{4}$ ) and the east half ( $E\frac{1}{2}$ ) of the south east quarter (S. E.  $\frac{1}{4}$ ) of section thirty-three (33), as reserved for the use of an arsenal by order of the President of United States dated November 3, 1832; also, fractional sections twenty-nine (29), twenty-eight (28), twenty-seven (27), twenty-six (26) and twenty-five (25), order of reserve filed with the War Department for the use of the arsenal, as will appear on file with the Secretary of the Treasury to the Commissioner November 5, 1833, as is more particularly defined and described by a plat thereof with table of contents and explanatory notes hereto attached and made a part hereof—all of the said land being situated in township four (4) north, range six (6) west; together with all and singular the tenements, hereditaments and appurtenances, buildings, properties to the same belonging or in any wise appertaining;

TO HAVE AND TO HOLD the above granted premises and every part and parcel thereof to the said State of Florida in fee simple.

IN TESTIMONY WHEREOF, The said Trustees of the Internal Improvement Fund of the State of Florida

have hereunto set their hands and seals the day and year first above written.

(Signed) W. S. JENNINGS, (SEAL)  
Governor.

(Signed) A. C. CROOM, (SEAL)  
Comptroller.

(Signed) J. B. WHITFIELD, (SEAL)  
Treasurer.

(SEAL)

(Signed) W. B. LAMAR, (SEAL)  
Attorney General.

(Signed) B. E. McLIN, (SEAL)  
Commissioner of Agriculture.

Signed, sealed and  
delivered in the pres  
ence of us as witnesses.

(Signed) W. M. McINTOSH, JR.

(Signed) W. P. ETHERIDGE.





This is the plat referred to and made a part of a deed exhibited by the Trustees of the Internal Improvement Fund of the State of Florida on the 4th day of February, A. D. 1903, conveying the land therein described to the State of Florida, in fee simple.

W. S. JENNINGS,  
Governor.

A. C. CROOM,  
Comptroller.

J. B. WHITFIELD,  
Treasurer.

W. B. LAMAR,  
Attorney-General.

B. E. McLIN,  
Commissioner of Agriculture.

The following certificate was ordered to be spread upon the Minutes:

**"TERRITORY OF FLORIDA.**

"THIS INDENTURE, Made the seventeenth day of February, in the year of our Lord one thousand eight hundred and thirty-four, and in the fifty-eighth year of the independence of the United States of America, between Joseph W. King, (Attorney for Danl. Matchett) of the County of Gadsden, of the one part, and Capt. John Hills, of the Ordnance Department, of the other part:

"WITNESSETH, That the said Joseph W. King, for and in consideration of the sum of one dollar in hand paid, at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, hath granted, bargained, sold, aliened, conveyed and confirmed, and by these presents doth grant, bargain, sell, alien, convey and confirm unto the President of the U. S. and his successors in office, the right forever to the use of a wharf erected by the United States on the premises of the said Matchett, situated on the river Apalachicola in Lot No. 2, Section 32, Fractional Township 4, Range 6, N. and W., and also the right forever to the causewayed road leading to the same.

"TO HAVE AND TO HOLD the said privilege to the described premises to the said Danl. Matchett being, be-  
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longing or in any wise appertaining to the only proper use, benefit and behoof of the United States of America.

"AND the said Joseph W. King, Attorney for Danl. Matchett, his heirs, executors and administrators, the said bargained premises unto the said United States, against the said Danl. Matchett, his heirs, executors and administrators, and all and every other person or persons, shall and will warrant and forever defend by virtue of these presents.

"IN WITNESS WHEREOF, The said J. W. King hath hereunto set his hand and affixed his seal the day and year first above written.

Signed, sealed and  
delivered in the

J. W. KING, (L. S.)

presence of

"R. H. STEWART

"EDWD. FACE.

"STATE OF FLORIDA, {  
"GADSDEN COUNTY. } S. S.

"I, Robert C. Lester, Clerk of the County Court for the County aforesaid, do hereby certify that R. H. Stewart, whose name is subscribed to the within deed of conveyance as a witness, personally appeared before me in my office and made oath that Joseph W. King, whose name is thereunto subscribed, did in his presence acknowledge that he signed, sealed and delivered the same for the purposes mentioned therein, and that he saw Edwd. Face sign as a subscribing witness. Whereupon, I have duly recorded the same in Book B, page 37.

"In testimony whereof, I have hereunto set my hand and seal of office this 22d day of  
(L. S.) February, A. D. 1834.

"R. C. LESTER, Clk.,

"By T. J. KENAN, D. C."

KNOW ALL MEN BY THESE PRESENTS, That whereas, I, Daniel Matchett, of Baltimore, State of Maryland, am seized in fee of and in certain tracts and lots of land situated in Gadsden County, Territory of Florida, late in the possession of John McCulloh, Esq., of said county and territory aforesaid:

NOW KNOW YE, That I, the said Daniel Matchett, have made, constituted and appointed, and by these presents do make, constitute and appoint Joseph W. King, of said Gadsden County, to be my true and lawful Attorney, for me and in my name to lease any or all my said tracts or lots of land, as well as houses or tenements on the same, in said Gadsden County, as aforesaid, to such person or persons, for a term not exceeding one year, and at such yearly or other rents as the said King may think fit, and to receive all such rents or arrears of rents which now are or may hereafter become due, to me, and upon receipt of such rent or rents to give proper acquittance and sufficient discharges thereof; and in default of payment thereof, or any part thereof, to my said attorney, I do hereby authorize and empower him, my said attorney, for me, and in my name, to proceed by suit or suits at law for the recovery thereof, as by the said Attorney shall be thought fit; and also for me and in my name, as my act and deed, to sign, seal, execute and deliver such deeds and conveyances for the leasing or the absolute disposal of any lot or tract, or any part thereof, with such clauses, covenants and agreements to be therein contained as my said attorney shall think fit and expedient. Hereby ratifying and confirming all such leases, deeds, conveyances, bargains and sales, which shall at any time hereafter be made by my said Attorney touching or concerning the premises.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this twenty-first day of September, one thousand, eight hundred and thirty-three.

DANL. MATCHETT (L. S.)

Signed, sealed and delivered in presence of  
JOHN H. MAGHER.  
D. O. HARRISON.

STATE OF NEW YORK, }  
CITY AND COUNTY OF NEW YORK. } S. S.

(L. S.) BY THIS PUBLIC INSTRUMENT, BE IT KNOWN TO ALL WHOM IT MAY CONCERN, That I, William H. Maxwell, Commissioner in and for the State of New York, duly commissioned by the Governor of the Territory of Florida, (by virtue of an act of the Legis-

lature of the said Territory entitled "An Act to Authorize the Appointment of Commissioners, etc., passed January 24th, 1831," and therein and thereby authorized and empowered "to take the acknowledgement of any deed, contract, letter of attorney, mortgage or conveyance of any lands, tenements and hereditaments, lying or being in the Territory of Florida, or any other writing under seal, to be used in said Territory, with full power and authority to administer oaths and affirmations, take depositions," etc.)

DO HEREBY CERTIFY, That on the 21st day of September, A. D. 1833, before me, said Commissioner, personally came Daniel Matchett, proven to my satisfaction to be the grantor named and described in the annexed letter of attorney, and having made known to him the contents thereof, he acknowledged he had truly signed, sealed and delivered and executed the same for the uses and purpuss therein mentioned.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal the day and year above written.

WM. H. MAXWELL,  
Florida Commissioner.

Recorded this 5th day of March, A. D. 1834.

R. C. LESTER, Clk. G. C. C.

By T. J. KENAN, D. C.

TERRITORY OF FLORIDA, { S. S.  
GADSDEN COUNTY.

I, Thomas J. Kenan, Clerk of the County Court for the County aforesaid, do hereby certify that the foregoing is a true transcript of the Letter of Attorney from Daniel Matchett to Joseph W. King, as recorded in my office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and annexed the seal of said Court this 12th day of May, A. D. 1834.

(L. S.) J. T. KENAN, Clk.

TERRITORY OF FLORIDA, { S. S.  
GADSDEN COUNTY.

I, Thomas J. Kenan, Clerk of the County Court for the County aforesaid, do hereby certify that there is no incumbrance, judgment, lien or transfer of any kind whatever, upon that part of a tract of land of Danl. Matchett's, known as Lot No. 2, Sec. 32, Fr. Township 4, Range



6, N. and W., which was purchased from Joseph W. King, attorney for Danl. Matchett, by Capt. John Hills, of the Ordnance Department, for the United States, as appears from the records of my office.

In testimony whereof, I have hereunto set my hand and seal of said Court, this 12th day of May, A. D. 1834.

(L. S.)

T. J. KENAN, Clk.

UNITED STATES OF AMERICA,  
WAR DEPARTMENT.

Washington City, November 20th, 1877.

Pursuant to Section 882 of the Revised Statutes, I hereby certify that the annexed papers are true copies of the originals in the Office of the Chief of Ordnance of this Department.

In witness whereof, I have hereunto set my hand, and caused the Seal of the War Department to be affixed, on the day and year first above written.

(L. S.)

GEO. W. McCRARY,

Secretary of War.

The Attorney General prepared a receipt to be signed by the Trustees for the Apalachicola Arsenal with the grounds, buildings and appurtenances thereunto belonging, which was signed, and is in the words and figures following, to-wit:

"STATE OF FLORIDA.

"RECEIVED of the Secretary of War of the United States, the public property with the grounds, buildings and appurtenances thereto belonging, situated in Gadsden County, in the State of Florida, and known as the 'Apalachicola Arsenal,' or 'Chattahoochee Arsenal,' said property having been decreed and granted by the United States to the State of Florida by an Act of Congress entitled 'An Act Donating Chattahoochee Arsenal to the State of Florida for Educational Purposes,' approved December 15th, A. D. 1870, said Act styling said property as the 'Chattahoochee Arsenal,' situated as aforesaid, and as being at the date of said Act occupied by said State as a penitentiary. And said Act directing the Secretary of War to transfer said property to the Board of Internal Improvement of said State 'to be held by them in trust for the use, benefit and execution of the purposes of this grant, or for such other public purposes as said Board

may deem proper.' The 'grounds' being the land reserved by the President of the United States for the 'Apalachicola Arsenal' in Gadsden County aforesaid, the buildings and improvements thereon and the lands and rights embraced in a deed of J. W. King, Attorney for Daniel Matchett, dated February 17th, 1834, to-wit: the right forever to the use of a wharf erected by the United States on the premises of said Matchett, situated on the river Apalachicola, in Lot No. 2, Section 32, Fractional Township 4, Range 6, N. and W., and also the right forever to the causewayed road leading to the same.

"December 18, 1880."

"GEORGE F. DREW,  
"Governor.

"COLUMBUS DREW,  
"Comptroller.

"WALTER GWYNN,  
"Treasurer.

"GEO. P. RANEY,  
"Attorney General.

"HUGH A. CORLEY,  
"Commissioner of Land and Immigration.

"Ex-Officio Trustees of the Internal Improvement Fund of the State of Florida.

I certify that the above and foregoing are true and correct copies of the deed and receipt, respectively, as set forth from the records of the Trustees of the Internal Improvement Fund of the State of Florida.

In Testimony Whereof, I have hereunto set my hand and the seal of the Trustees of the Internal Improvement Fund of the State of Florida this the 7th day of March, A. D. 1903.

(Signed) W. M. McINTOSH, JR.,  
Secretary Trustees Internal Improvement Fund of Florida.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
W. M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., February 11, 1903.

The Trustees of the Internal Improvement Fund of Florida met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

J. B. Whitfield, Treasurer.

B. E. McLin, Commissioner of Agriculture.

The Commissioner of Agriculture presented a proposition referred to in the correspondence between himself and F. B. Bell, agent of the Trustees, relative to the proposition of S. P. Carr and S. J. Meadows, of Calhoun county, to purchase the following lands belonging to the Trustees of the Internal Improvement Fund of Florida, situated in the county of Calhoun, and described as follows:

|                                                                                                                                                                                                                  | Sec. | N. W.<br>T. R. | Acres. |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|----------------|--------|
| E. $\frac{1}{2}$ of S. E. $\frac{1}{4}$ .....                                                                                                                                                                    | 19   | 1 9            | 80.05  |
| W. $\frac{1}{2}$ of N. W. $\frac{1}{4}$ & S. W. $\frac{1}{4}$ .....                                                                                                                                              | 20   | 1 9            | 240.87 |
| NE. $\frac{1}{4}$ of NW. $\frac{1}{4}$ ; W. $\frac{1}{2}$ of NW. $\frac{1}{4}$ ; SW. $\frac{1}{4}$<br>of SE. $\frac{1}{4}$ & SE. $\frac{1}{4}$ of SW. $\frac{1}{4}$ .....                                        | 29   | 1 9            | 200.35 |
| E. $\frac{1}{2}$ of N. E. $\frac{1}{4}$ .....                                                                                                                                                                    | 30   | 1 9            | 80.05  |
| NE. $\frac{1}{4}$ of NW. $\frac{1}{4}$ & SW. $\frac{1}{4}$ of SE. $\frac{1}{4}$ .....                                                                                                                            | 32   | 1 9            | 80.11  |
| SW. $\frac{1}{4}$ of SE. $\frac{1}{4}$ .....                                                                                                                                                                     | 30   | 2 9            | 40.16  |
| E. $\frac{1}{2}$ of NW. $\frac{1}{4}$ .....                                                                                                                                                                      | 32   | 2 9            | 80.10  |
|                                                                                                                                                                                                                  |      | S. W.          |        |
| Lot 4 .....                                                                                                                                                                                                      | 4    | 1 8            | 93.12  |
| W. $\frac{1}{2}$ of NE. $\frac{1}{4}$ ; W. $\frac{1}{2}$ of SE. $\frac{1}{4}$ and SE. $\frac{1}{4}$<br>of SW. $\frac{1}{4}$ .....                                                                                | 8    | 1 8            | 200.23 |
| SW. $\frac{1}{4}$ of NE. $\frac{1}{4}$ ; NE. $\frac{1}{4}$ of NW. $\frac{1}{4}$ ; S. $\frac{1}{2}$ of<br>NW. $\frac{1}{4}$ & NW. $\frac{1}{4}$ of SW. $\frac{1}{4}$ .....                                        | 17   | 1 8            | 200.55 |
| NW. $\frac{1}{4}$ .....                                                                                                                                                                                          | 20   | 1 8            | 160.48 |
| N. $\frac{1}{2}$ of NW. $\frac{1}{4}$ ; SE. $\frac{1}{4}$ of NW. $\frac{1}{4}$ ; W. $\frac{1}{2}$ of<br>SE. $\frac{1}{4}$ ; NE. $\frac{1}{4}$ of SW. $\frac{1}{4}$ ; S. $\frac{1}{2}$ of SW. $\frac{1}{4}$ ..... | 29   | 1 8            | 320.68 |
| N. $\frac{1}{2}$ of SE. $\frac{1}{4}$ ; SW. $\frac{1}{4}$ of SE. $\frac{1}{4}$ and NW. $\frac{1}{4}$<br>of SW. $\frac{1}{4}$ .....                                                                               | 32   | 1 8            | 160.28 |
| SW. $\frac{1}{4}$ of NE. $\frac{1}{4}$ .....                                                                                                                                                                     | 6    | 1 9            | 40.00  |
| E. $\frac{1}{2}$ of SE. $\frac{1}{4}$ .....                                                                                                                                                                      | 7    | 1 9            | 80.06  |
| NW. $\frac{1}{4}$ of NW. $\frac{1}{4}$ .....                                                                                                                                                                     | 8    | 1 9            | 40.08  |
| W. $\frac{1}{2}$ of NW. $\frac{1}{4}$ & W. $\frac{1}{2}$ of SW. $\frac{1}{4}$ .....                                                                                                                              | 17   | 1 9            | 160.24 |
| E. $\frac{1}{2}$ of NE. $\frac{1}{4}$ & E. $\frac{1}{2}$ of SE. $\frac{1}{4}$ .....                                                                                                                              | 18   | 1 9            | 160.10 |
| NE. $\frac{1}{4}$ of NE. $\frac{1}{4}$ .....                                                                                                                                                                     | 19   | 1 9            | 40.00  |
| NE. $\frac{1}{4}$ of NW. $\frac{1}{4}$ ; W. $\frac{1}{2}$ of NW. $\frac{1}{4}$ and NW.<br>$\frac{1}{4}$ of SW. $\frac{1}{4}$ .....                                                                               | 20   | 1 9            | 160.16 |
| NE. $\frac{1}{4}$ of SE. $\frac{1}{4}$ .....                                                                                                                                                                     | 30   | 1 9            | 40.05  |

Being 65 cents per acre therefor. The character of the land having been under investigation and consideration by the Commissioner of Agriculture, with the assistance of F. B. Bell, agent, for some months past, and it being made to appear that the sum of sixty-five cents per acre is a reasonable price therefor, and being recommended by Mr. F. B. Bell, agent, who has inspected the lands personally, it is, therefore,

*Resolved*, That the proposition of S. P. Carr and S. J. Meadows be, and the same is, hereby accepted; and the Commissioner of Agriculture is hereby authorized and directed to sell the same at the price aforesaid, and prepare the necessary deed of conveyance therefor—the above described lands having been trespassed upon and coming within the terms and provisions of the contract hereinbefore entered into by and between the Trustees and Mr. F. B. Bell, agent. The sale having been brought about by the investigation and services of Mr. F. B. Bell, agent, he is, therefore, entitled to his reasonable compensation for such services, as rendered, under the terms of his contract with the Trustees; it is therefore

*Resolved*, That he be paid his expenses upon an itemized statement to be rendered, and approved by the Commissioner of Agriculture, by the said S. P. Carr and S. J. Meadows; said amount not to exceed \$68.88, which it is agreed the purchasers herein named shall remit to the Commissioner of Agriculture for this purpose.

The said F. B. Bell, agent of the Trustees, having presented his account for a reasonable compensation for the sale of the property hereinbefore described—being ten per cent. of the purchase price—which, upon consideration, it appearing to the satisfaction of the Trustees to be a reasonable compensation for the services rendered under the terms and provisions of the contract heretofore entered into by and between the Trustees and the said F. B. Bell, agent, for the recovery and seizure, sale, etc., of the trespassed lands belonging to said Fund; therefore, it is

*Resolved*, That the account be paid, as rendered, and that a check issue to said F. B. Bell therefor.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.

W. M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., February 18, 1903.

The Trustees of the Internal Improvement Fund met in the Executive Office.

Present: W. S. Jennings, Governor.  
A. C. Croom, Comptroller.  
J. B. Whitfield, Treasurer.  
W. B. Lamar, Attorney General.  
B. E. McLin, Commissioner of Agriculture.

A communication was presented to them, signed by Captain F. A. Hendry, dated La Belle, Florida, January 28, 1903, relative to the ownership, status and control of the canals leading from Lake Okeechobee into Lake Hicpochee and from Lake Hicpochee into the Caloosahatchie river; and, after investigation, it is found that the following is the status of the canals referred to:

There is no natural navigable waterway between Lake Okeechobee and Lake Hicpochee or between Lake Hicpochee and the Caloosahatchie river. The lands between these lakes and rivers are a part of the swamp and overflowed lands granted to the State of Florida for drainage and reclamation, by Act of Congress approved September 28, 1850. The lands have been selected and approved for patent to the State, but are unsurveyed and not yet patented. The title to these lands was conveyed by the State of Florida to certain State Officers, in trust, for drainage and other purposes, by an act of the Florida Legislature approved January 6, 1855. These officers are designated by said Act as Trustees of the Internal Improvement Fund of Florida. In the discharge of their trust, the said Trustees constructed for drainage purposes a canal from Lake Okeechobee into Lake Hicpochee, and a canal from Lake Hicpochee to the Caloosahatchie river through the lands so held in trust by said Trustees.

The canals above mentioned have on various occasions been used by occasional small boats carrying pleasure excursionists from Kissimmee river, in the interior of the State, to Fort Myers, on the Caloosahatchie river. The ownership of the lands and the canals thereon has never been surrendered, relinquished or conveyed by said Trustees or by the State of Florida. The canal between Lake Hicpochee and the Caloosahatchie river has now



been closed, in the discharge of the trust connected with the lands upon which the canal is constructed.

The United States government has never had any right, title or interest in, or supervision or control over, said canals as a navigable public waterway.

As the property of the Internal Improvement Fund of the State of Florida—like all other lands of said trust—they are utilized and controlled in the execution of the trust.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
W. M. McINTOSH, JR.,  
Secretary.

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Tallahassee, Fla., March 2, 1903.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

B. E. McLin, Commissioner of Agriculture.

The following bills were approved and ordered paid:

S. D. Jordan, Clerk of the Circuit Court of Monroe County, for abstract for Salesman, \$1.00.

Frank E. Saxon, Clerk of the Circuit Court of Hernando County, for abstract for Salesman, \$3.00.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
W. M. McINTOSH, JR.,  
Secretary.

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Tallahassee, Fla., March 23, 1903.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

W. V. Knott, Treasurer.

J. B. Whitfield, Attorney General.

B. E. McLin, Commissioner of Agriculture.

The following bills were approved and ordered paid:

Cox & Stubbs, stationery for Salesman's office, \$4.19.

Herring-Hall-Marvin Safe Co., safe for Salesman's office as per order of Trustees, \$950.00.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.

W. M. McINTOSH, JR.,  
Secretary.

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Tallahassee, Fla., March 25, 1903.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor:

A. C. Croom, Comptroller.

W. V. Knott, Treasurer.

J. B. Whitfield, Attorney General.

B. E. McLin, Commissioner of Agriculture.

The following bill was approved and ordered paid:

Hon. Philip Cook, Secretary of State of Georgia, for copy of records, \$5.50.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.

W. M. McINTOSH, JR.,  
Secretary.

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Tallahassee, Fla., March 27, 1903.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

W. V. Knott, Treasurer.

J. B. Whitfield, Attorney General.

B. E. McLin, Commissioner of Agriculture.

The following bill was approved and ordered paid:

F. B. Bell, for services as agent of the Board in the sale of land, \$172.75.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.

W. M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., April 3, 1903.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

W. V. Knott, Treasurer.

J. B. Whitfield, Attorney General.

B. E. McLin, Commissioner of Agriculture.

The following bills were approved and ordered paid:

W. S. Jennings, expenses of trip to Washington to examine the status of approved list No. 87 of Swamp and Overflowed lands, \$90.85.

John McDougall, P. M., postage and stationery for Salesman's office, \$74.50.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.

W. M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., April 4, 1903.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

W. V. Knott, Treasurer.

J. B. Whitfield, Attorney General.

B. E. McLin, Commissioner of Agriculture.

The following bill was approved and ordered paid:

S. W. Teague, on account of expenses in inspecting indemnity lands, \$100.00.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.

W. M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., April 8, 1903.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

W. V. Knott, Treasurer.

J. B. Whitfield, Attorney General.

B. E. McLin, Commissioner of Agriculture.

The following resolution was adopted:

*Whereas*, the records of the office of Commissioner of Agriculture shows that Section thirty-three, embraced in Cut-Off Island, in Township four South of Range Nine West was patented to the State of Florida by the United States Government in Gainesville Patent No. 101, bearing date of December 1st, 1894, and that the title to said lands has not been conveyed by the Trustees of the Internal Improvement Fund; therefore;

*It is resolved* that Mr. F. B. Bell be and is hereby authorized and directed as the agent of the Trustees, to take possession for the Trustees of all logs that have been cut from said lands, no authority having been given by the Trustees to anyone to cut or remove logs from said lands. The Secretary will furnish a certified copy of this to Mr. Bell.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
W. M. McINTOSH, JR.,  
Secretary.

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Tallahassee, Fla., April 10, 1903.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.  
A. C. Croom, Comptroller.  
W. V. Knott, Treasurer.  
J. B. Whitfield, Attorney General.  
B. E. McLin, Commissioner of Agriculture.

The Commissioner of Agriculture was ordered to prepare a quit-claim deed to the United States Government for Lot 2, or E.  $\frac{1}{2}$  of NE $\frac{1}{4}$  of Section 36, T. 4 N., R. 25 E., containing 58 acres, as requested in letter "K" from the Commissioner of the General Land Office, bearing date of March 10th, 1903, as the said land is embraced in Cash Entry No. 1196 made by George H. Sallis on March 20th, 1854, of the U. S. Government, which entry has been carried into patent and the same land was also erroneously patented to the State as shown in said letter.

The account of the M. Ohmer Sons Co. for furniture for the Salesman's office, amounting to \$205.80, was ordered paid.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
W. M. McINTOSH, JR.,  
Secretary.

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Tallahassee, Fla., April 13, 1903.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.  
A. C. Croom, Comptroller.  
W. V. Knott, Treasurer.  
J. B. Whitfield, Attorney General.  
B. E. McLin, Commissioner of Agriculture.

The following bill was approved and ordered paid:

Page & Garnett, for varnishing desks in Salesman's Office, \$12.00.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
W. M. McINTOSH, JR.,  
Secretary.

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Tallahassee, Fla., April 22, 1903.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.  
A. C. Croom, Comptroller.  
W. V. Knott, Treasurer.  
J. B. Whitfield, Attorney General.  
B. E. McLin, Commissioner of Agriculture.

The following bill was approved and ordered paid:

S. W. Teague, on account of expenses in inspecting indemnity lands, \$100.00.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
W. M. McINTOSH, JR.,  
Secretary.



Tallahassee, Fla., April 29, 1903.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.  
 A. C. Croom, Comptroller.  
 W. V. Knott, Treasurer.  
 J. B. Whitfield, Attorney General.  
 B. E. McLin, Commissioner of Agriculture.

The following bills were approved and ordered paid:

J. M. Dell, expenses of trip to Tallahassee, to get information as to his work as land clerk, \$14.90.

W. C. Lewis, Cashier First National Bank, for the purchase of one Madison County bond, No. 42, and interest to August 1st, 1902, \$505.00.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
 W. M. McINTOSH, JR.,  
 Secretary.

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Tallahassee, Fla., May 1, 1903.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.  
 A. C. Croom, Comptroller.  
 W. V. Knott, Treasurer.  
 J. B. Whitfield, Attorney General.  
 B. E. McLin, Commissioner of Agriculture.

Upon the representation of the Commissioner of Agriculture, that Mr. J. M. Dell, the land clerk in the U. S. Land Office at Gainesville, Florida, is a very capable land man, and that his experience in the work, together with the increased demand on his entire time entitle him to \$100.00 per month as his salary, it is ordered by the Trustees of the Internal Improvement Fund that the said Mr. J. M. Dell be paid the sum of \$100.00 per month upon a voucher approved by the Commissioner of Agriculture, commencing from May 1st, 1903.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
 W. M. McINTOSH, JR.,  
 Secretary.

Tallahassee, Fla., May 9, 1903.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

W. V. Knott, Treasurer.

B. E. McLin, Commissioner of Agriculture.

Hon. B. E. McLin, Commissioner of Agriculture, was directed to prepare a quit-claim deed to the United States of America for the NE $\frac{1}{4}$  of NW $\frac{1}{4}$  of Sec. 25, T 2 N, R 7 E, as said land was erroneously conveyed to the State, the same having been previously covered by Cash Entry No. 11,882 of the U. S. Government, by George R. Mays, as shown by letter "K" of May 5th, 1903, from the Commissioner of the General Land Office to the Commissioner of Agriculture.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.

W. M. McINTOSH, JR.,

Secretary.

Tallahassee, Fla., May 16, 1903.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

W. V. Knott, Treasurer.

J. B. Whitfield, Attorney General.

B. E. McLin, Commissioner of Agriculture.

Mr. Samuel W. Teague, who was on the 8th day of January, 1903, engaged by the Trustees of the Internal Improvement Fund to attend the United States Government Agent, Mr. Fred Hoisington, in his inspection of Swamp Indemnity Lands and Swamp Lands in place, submitted his report. The following letters marked 1, 2 and 3 addressed to the Commissioner of Agriculture, together with the lists of Indemnity lands and lands in place, were presented by Mr. Teague.

The letters were ordered spread upon the minutes as follows:

**"SWAMP LAND INDEMNITY CLAIM.**

"Ocala, Fla., May 13th, 1903.

"Hon. B. E. McLin,

"Commissioner of Agriculture,

"Tallahassee, Florida.

"Dear Sir:—I herewith hand you my report on 255 tracts of SWAMP LAND INDEMNITY CLAIM, particularly described in a list attached hereto, and examined by me in company with U. S. Special Agent Mr. F. Hoisington, of the General Land Office, Washington, D. C., at your request.

"The 255 tracts contain approximately.....10,000 acres

"Struck from list by order General

Land Office, 9 tracts 360 acres,

"Not inspected for reasons given

below, 30 tracts 1,200 acres..... 1,560 acres

"Leaving land inspected..... 8,440 acres

"Of the lands inspected a major-

ity of acres was found to be

swamp and overflowed on 29

tracts, aggregating .....1,281.71

"Making sum due the State at \$1.25 per acre....\$1,602.13

"The thirty tracts named as not inspected were passed because nearly all are in isolated tracts, scattered and remote from railroad. The United States Plots show them to be dry, and I was able to get fairly reliable information that some of them are dry. If a part of them were found to be wet, it would be difficult and expensive to find witnesses to prove the character of the land as is necessary. I recommend that the examination of these tracts be waived, as it will probably cost much more than the State could hope to receive as indemnity.

"In each case where a majority of acres in any tract were found to be swamp and overflowed, I have held a hearing in the presence of United States Special Agent F. Hoisington, and have taken the testimony of two reliable witnesses, on the forms for swamp indemnity proof furnished me by you; have had same sworn to before notary public or court official; have paid the fees of witnesses and officers, and turned all the documents over to Special Agent Hoisington, who, in each case, has counter-

signed them with his approval. He will transmit them to the Commissioner of the General Land Office with his final report on all the tracts examined.

"The lands examined, as you will see, lie in twenty counties, and were nearly all in small bodies, mainly single forty-acre tracts. This condition has added greatly to the expense and time required to make the inspection. After we had finished the inspection of all lands in Middle Florida, supplemental lists were received which made it necessary to go back over much of the country twice.

"In most cases I found the Special Agent, Mr. Hoisington, to be fair; but extremely careful and painstaking in determining the character of the lands. But that when we could agree on that point, he was liberal in not criticising the character or competency of my witnesses, which were, in some cases, found with difficulty. In remote settlements, the proofs of the character of the lands by witnesses who really knew anything about them were almost impossible to procure. In only two cases did we seriously disagree as to the character of the land in question; one of these he conceded and in the other I undertook to make a contest for it; but found that I could not get the evidence upon which to make the contest successful. The tract he conceded was 78 acres near Leesburg. It was conceded after a second examination and partial survey. The tract I wished to make contest for was 218 acres near Soldiers Home at Jacksonville and west of it. I inspected the land a second time, in company with Dr. John C. L'Engle, and Dr. Daniel, who have known it all their lives, and County Surveyor Overstreet. They decided that they could not testify that a majority of the land was swamp and overflowed, because a large ditch which runs through it, and makes it partly dry, was either an old natural drain reditched, or an old ditch dug before the Swamp and Overflowed Act passed Congress in 1850.

"I find that United States Special Agents with whom I have come in contact, are much more careful in determining the character of lands when they are swamp land indemnity claims than when they are swamp lands in place.

"You will discover in looking over my report on the list that a large proportion of the lands examined are really high lands entirely, and that many of the tracts are in cultivation in cotton and other crops.

"It seems to be the custom of the General Land Office to send Special Agents to Florida to examine swamp and overflowed lands in the winter, and usually dry months only; most of the agents then see Florida for the first time. These new men with great difficulty comprehend that Florida seasons, as to wet and dry years and rainy season in summer, are different from the other States. In other States, where there is less rainfall than in Florida, overflows, where they occur, are commonly annual, while it is well known that in Florida the periods of maximum high water are often six or eight years apart, and that many tracts of genuine swamp lands are sometimes dry for three or four years at a time. It would be very difficult to prove in many cases that lands are wet three out of five years, but easy to prove that they are wet four out of seven, or five out of nine years. The rule governing as given by the General Land Office is that a majority of the acres in each tract must be proven to be wet and unfit for cultivation for a majority of the years, and the question is always asked would the land be fit for cultivation if cleared up and plowed without ditching? This rule worked out by a new and inexperienced special agent in the winter months, would, in many cases, do great injustice to the State of Florida. Special Agents should be carefully instructed as to the peculiar climatic conditions in Florida, and the amount of rainfall in certain months here as compared with other States, otherwise the State may be done a great injustice.

"When I began the inspection of the swamp indemnity lands, I had no idea what a large undertaking it would be, or how long it would take, to inspect the whole list and take testimony in all cases where found to be wet, and would not again like to undertake to inspect a list so much scattered, unless the results promised much more profit to myself and the State than in this case.

"Respectfully yours,

(Signed) "SAML. W. TEAGUE."

No. 2.

"SWAMP LANDS IN PLACE CLAIM.

"Ocala, Fla., May 12th, 1903.

"Hon. B. E. McLin,

"Commissioner of Agriculture,

"Tallahassee, Florida.

"Dear Sir:—I herewith hand you my report of 192



tracts of SWAMP LANDS IN PLACE CLAIMS, described in attached list, and examined in company with Mr. F. Hoisington, Special Agent United States General Land Office, at your request.

"The 192 tracts contain about.....10,500 acres

"Struck from list by order General

Land Office, 7 tracts 280 acres,

"Not yet inspected, 21 tracts, 840 acres..... 1,120 acres

"Leaving lands inspected ..... 9,380 acres

"Of the lands inspected a majority

of acres was found to be swamp

and overflowed on 80 tracts, ag-

gregating .....5,790 acres

"Found to be dry, 84 tracts, about..... 3,360 acres

"If, upon survey of fractional township six, south, range 5 E., at the mouth of the Fenholloway river, estimated in United States list at 2,500 acres, is found, as reported by Special Agent Hoisington, to contain 8,000 acres, it will increase the number of acres found to be swamp and overflowed to 11,290 acres.

"In making my report on the land I have written on the list some description of most of the tracts. Where a majority of the acres was found to be wet in any tract, I have written my remark in red ink. These remarks are based on actual observation, or information obtained from people who are familiar with the lands, and will, I hope, be valuable to you when purchasers apply to buy the lands.

"Some of the tracts are valuable, mainly for the timber on them, and would have been quite valuable in some cases but for depredations committed by sawmill and turpentine men, in each case the depredations are noted on the list.

"Respectfully,

(Signed) "SAML. W. TEAGUE."

No. 3.

"SELECTIONS, SWAMP AND OVERFLOWED  
LANDS:

"Ocala, Fla., May 12th, 1903.

"Hon. B. E. McLin,

"Commissioner of Agriculture,

"Tallahassee, Florida.

"Dear Sir:—During the past three or four months 1

have not selected any large quantity of swamp and overflowed land for the State. Having been, as you are aware, engaged most of that time inspecting and taking testimony for swamp indemnity lands, and swamp lands in place, which have heretofore been selected. Now, as that undertaking is about finished, I will again take up the work of selecting swamp and overflowed lands.

"As you know, I have from time to time, sent you lists of my selections with proper affidavits, aggregating about fifty thousand acres. Affidavits for a large lot of swamp lands are now being prepared in Washington, Calhoun, Taylor and Lafayette counties.

"You will remember that we discovered soon after this work was begun that, while from published lists of the United States General Land Office, it appeared that a large quantity of United States land was still vacant in counties like Polk, DeSoto and Manatee, when Mr. C. B. Gwynn investigated these lists at the Gainesville Land Office, it turned out that much of it had already been selected and applied for by the State, though not yet inspected by United States agents. This situation lessens the work still to be done in making selections, especially in the South Florida counties, and leaves a great bulk of the lands to be selected in West Florida. It is more expensive to select lands in West Florida than in the south, and the lands selected are not so valuable in the west as they would be in the south; so far, none of the lands selected by me, have been inspected by United States agents, though one agent was sent with my list of 30,000 acres to Levy and Citrus counties; he got sick and did nothing; none of my list will be inspected until next winter, and I can receive no compensation in lands until fully a year from this time. As I have to pay all my own expenses, and have already expended quite a large sum in this work, I suggest that the 15 per cent. which was agreed on as my compensation payable in lands, is not enough pay, and that it ought to be increased.

"Respectfully yours,

(Signed) "SAML. W. TEAGUE."

and the originals to be filed with the Secretary of the Board.

The lists of lands inspected, were ordered filed in the office of the Commissioner of Agriculture, to be marked and known as the Teague and Hoisington Inspected Lists.

The itemized bill of expenses was presented by Mr. Teague, which set out in detail the amounts expended for railroad fare, hotel bills, hack hire and the attendance of State witnesses and fees paid officials before whom testimony was taken, etc., amounting to \$472.45, credited by \$500.00 paid in \$100.00 checks issued to said Teague while conducting the work. The original itemized bill was ordered filed with the Secretary of the Board.

Mr. Teague presented the following report:

"Tallahassee, May 16, 1903.

"The Hon. Board of Internal Improvement,  
"Tallahassee, Fla.

"Dear Sirs: Under appointment by your Honorable Board I have been engaged since January 6, 1903, inspecting Swamp Indemnity Lands and Swamp Lands In Place in company with U. S. Special Agt. Mr. Fred Hoisington.

"I have rendered itemized account of my expenses amounting to \$472.45 which has been paid.

"In settlement for my services in inspecting Swamp Indemnity lands I will ask you to pay me \$125.00 per month for three months of the time engaged. For nearly one month of the four I was not with the U. S. Agt. but was selecting swamp and overflowed lands.

"For my services in selecting and inspecting the Swamp lands in place I will ask you to transfer to me 602.03 acres of land described on the enclosed list. The lands described are very inferior but I can use them as they lie in reach of me. Fifteen per cent of the lands inspected and approved to the State would amount to 855 acres.

"In making this request I can say that my presence with the special agents has caused him to agree that the State shall get a very much larger number of acres of land than if he had been alone.

"Respectfully,

(Signed) "SAML. W. TEAGUE."

## "LIST.

|                                              | S | E  |       |                  |
|----------------------------------------------|---|----|-------|------------------|
| "80 NE $\frac{1}{4}$ SW $\frac{1}{4}$ .....6 | 7 | 27 | 40.00 | Clay Co. Page 4. |
| 82 SE $\frac{1}{4}$ SW $\frac{1}{4}$ ....."  | " | "  | 40.00 |                  |
| 83 SE $\frac{1}{4}$ SE $\frac{1}{4}$ ....."  | " | "  | 40.00 |                  |
| 84 SW $\frac{1}{4}$ SE $\frac{1}{4}$ ....."  | " | "  | 40.00 |                  |
| 85 Lot 5.....7                               | " | "  | 46.78 |                  |

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 206.78

|                                            |    |    |       |             |
|--------------------------------------------|----|----|-------|-------------|
| 2 NE $\frac{1}{4}$ NE $\frac{1}{4}$ .....4 | 15 | 23 | 40.00 | Marion P. 5 |
| 3 NW $\frac{1}{4}$ NE $\frac{1}{4}$ ....." | "  | "  | 40.00 |             |
| 4 SE $\frac{1}{4}$ NE $\frac{1}{4}$ ....." | "  | "  | 40.00 |             |
| 5 SW $\frac{1}{4}$ NE $\frac{1}{4}$ ....." | "  | "  | 40.02 |             |

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 160.02

|                 | S  | E  |       |                |
|-----------------|----|----|-------|----------------|
| 39 Lot 6.....12 | 15 | 27 | 40.00 | Volusia P. 687 |
| 43 Lot 11....." | "  | "  | 40.00 |                |
| 45 Lot 2.....13 | "  | "  | 40.00 |                |
| 46 Lot 3.....13 | "  | "  | 40.00 |                |
| 47 Lot 4....."  | "  | "  | 35.23 |                |
| 48 Lot 6....."  | "  | "  | 40.00 |                |

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 235.23

It being shown to the Trustees that the said Teague reported frequently during the four months time he was engaged in the work, to the Commissioner of Agriculture and he to the Trustees, the slow progress made in securing to the State indemnity and that he doubted if there could be sufficient indemnity to pay the State, as he had to cover twenty counties and return to take proof in cases approved by the Government as wet lands, the Government stating the time and places where proofs should be given. The Commissioner was urged by the Government Agent to waive the State's claim to indemnity after he had examined some tracts and the U. S. Surveyor-General's maps in the Government Office without examination. The Commissioner and the Trustees feeling that they had no authority to do this, Mr. Teague was engaged by the

Commissioner to go on with the work, assuring him that the Trustees would deal fairly with him in payment for services. The work being more laborious than was anticipated, the lands much more scattered than could have been anticipated, and the per cent of dry lands so much in excess of our anticipation, it was evident that Mr. Teague could not do the work for a given per cent. Therefore, it is ordered by the Trustees that Mr. Teague be paid \$125.00 per month for three months services inspecting Indemnity Lands, the State paying his bill of actual expenses and that Mr. Teague be allowed the amount of 602.03 acres, (being less than 10 per cent. of the swamp lands in place secured to the State) for services inspecting said lands in place, as it was evident from the information presented that much of said land was secured as a result of the said Teague's personal presence and persistent insistence and his presenting witnesses who would not have been considered by the Government Agent alone, it further appearing that the lands to be conveyed to the said Teague as inspecting agent of the State are not of the best grade but mostly prairie and grazing lands principally. Therefore, it is ordered by the Trustees that the Commissioner of Agriculture set aside the following described lands, to-wit:

NE $\frac{1}{4}$  of SW $\frac{1}{4}$ , SE $\frac{1}{4}$  of SW $\frac{1}{4}$ , SE $\frac{1}{4}$  of SE $\frac{1}{4}$ , SW $\frac{1}{4}$  of SE $\frac{1}{4}$ , Sec. 6, T 7 S, R. 27 E, and Lot 5 of Sec. 7, in said T. 7 S, R. 27 E.

NE $\frac{1}{4}$  of Sec. 4, T. 15 S, R 23 E.

Lot 6 of Sec. 12, Lot 11 of Sec. 12, and Lots 2, 3, 4 and 6 of Sec. 13, T 15 S, R 27 E.

and the Commissioner of Agriculture is hereby directed to deed the above described lands to the said Samuel W. Teague, or his order, when the same have been patented to the State.

The Board then adjourned.

Attest:

W. S. JENNINGS, Governor.

W. M. McINTOSH, JR.,

Secretary.



Tallahassee, Fla., May 18, 1903.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

W. V. Knott, Treasurer.

J. B. Whitfield, Attorney General.

B. E. McLin, Commissioner of Agriculture.

The following bill was approved and ordered paid:

S. W. Teague, for services *in re* swamp land indemnity,  
\$347.45.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.

W. M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., May 20, 1903.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

W. V. Knott, Treasurer.

J. B. Whitfield, Attorney General.

B. E. McLin, Commissioner of Agriculture.

The following bill was approved and ordered paid:

C. H. Dickinson, one Densmore typewriter, \$100.00.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.

W. M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., May 21, 1903.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

W. V. Knott, Treasurer.

J. B. Whitfield, Attorney General.

B. E. McLin, Commissioner of Agriculture.

The following bill was approved and ordered paid:

Hon. Philip Cook, Secretary of State of Georgia, for  
copy of records, \$4.75.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
W. M. McINTOSH, JR.,  
Secretary.

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Tallahassee, Fla., May 27, 1903.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.  
A. C. Croom, Comptroller.  
W. V. Knott, Treasurer.  
J. B. Whitfield, Attorney General.

The following resolution was adopted:

It is hereby ordered by the Trustees of the I. I. Fund that the bill of Mr. L. D. Lowe for work in the department, building letter files &c., amounting to \$80.00 in total, be paid, and that a check be drawn for said amount.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
W. M. McINTOSH, JR.,  
Secretary.

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Tallahassee, Fla., May 29, 1903.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.  
A. C. Croom, Comptroller.  
W. V. Knott, Treasurer.  
J. B. Whitfield, Attorney General.  
B. E. McLin, Commissioner of Agriculture.

The following specifications or details of construction of the West Florida and Gulf Coast Railroad were presented and approved:

To the Honorable Trustees of the Internal Improvement Fund of the State of Florida.

Specifications for the Construction of the West Florida and Gulf Coast Railroad.

First. First class, standard guage.

Second. Guage four feet, eight and one half inches, with embankments sixteen feet wide on top, with regular

side slopes one and one half to one with proper side ditches and culverts to insure a dry and safe roadbed.

Third. Cuts to be twenty-two feet wide at bottom with slopes one and one half to one, more or less as required, depending on material, with ditches from two feet six inches to three feet deep as required to properly convey the water and drain the roadbed.

Fourth. The right of way will be cleared of perishable matter and as a rule one hundred feet wide, not less than sixty-six feet, and that only in special cases.

Fifth. The track to be laid with cross ties eight feet long six inches by seven inches face and thickness, spaced two feet center to center. Steel to be not less than sixty pounds to the yard and the intention is to use seventy pounds per yard on this road. Spikes, splices and bolts to be standard size and strength.

Sixth. The track will be ballasted with best sand or gravel found along the company's property.

Seventh. The grade shall not exceed one per cent., and no single curve shall exceed three degrees and shall be as much less as the country will admit of.

Eighth. Drainage will be provided with necessary culverts, iron pipe, glazed pipe or masonry, as may be found best.

Ninth. Streams and depressions will be crossed with suitable bridges and trestles, same to be of wood or steel or combination of both, and built on plans according to the best practice of the standard railroad companies of the United States.

Necessary stations, side tracks, water tanks and road crossings for the company's business will be provided, also telegraph lines. The intention is to build a first class modern railroad for the safe and rapid transportation of passengers and freight.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.

W. M. McINTOSH, JR.,

Secretary.

Tallahassee, Fla., May 30, 1903.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

W. V. Knott, Treasurer.

J. B. Whitfield, Attorney General.

B. E. McLin, Commissioner of Agriculture.

The Florida Grand Trunk Railway Company, through J. A. McLeay, its Secretary, presented specifications or details of construction of The Florida Grand Trunk Railway, together with affidavits that the work of construction had been actually commenced. The specifications or details of construction so presented were approved and the Secretary was directed to enter the same, as well as the affidavits, on the minutes of the Trustees: Said specifications are in words and figures as follows:

“West Palm Beach, Fla., May 23, 1903.

“To the Honorable Board of Trustees of the Internal Improvement Fund, Tallahassee, Fla.

“Dear Sirs:—I herewith send you certificate of partial survey of the Florida Grand Trunk Railway, duly signed by J. S. Frederick, Civil Engineer.

“Also specifications for the construction.

“Yours very truly,

(Signed) “J. A. McLEAY,

“Secretary.”

“Specifications for the Construction of the Florida Grand Trunk Railway.

“First—The gauge shall be standard.

“Second—It shall be equipped with rails of a weight of not less than fifty-six pounds per lineal yard, and well-fastened to cross-ties with spikes and plates.

“Third—The cross-ties shall be of cypress, pine, oak or cedar, hewn or sawed.

“Fourth—The grading shall be with a road bed sixteen feet wide in cuttings, with ditches below grade for proper drainage and fourteen feet wide on embankments at grade line.

“Fifth—In crossing navigable streams suitable draws shall be put in to admit the passage of boats or vessels usually navigating the same.

"Sixth—The grade shall on no portion of the route exceed forty-five feet per mile, and no single curve shall exceed three degrees of curvature, unless approved by the State Engineer.

"Seventh—The entire equipment shall be at all times sufficient for the prompt transportation of passengers and freight ordinarily offering.

"Eighth—At all water ways sufficient openings shall be left for the unobstructed passage of the water.

"All other requirements of the Internal Improvement Act of 1855 and the amendments thereto will be complied with in the construction of said railway."

"STATE OF FLORIDA, }  
"COUNTY OF DADE. }

"Before me personally appeared J. F. Bergen, to me well known, who being duly sworn deposes and says that the Florida Grand Trunk Railway Company, a corporation created and organized under the laws of the State of Florida, has actually on this 26th day of May, A. D. 1903, commenced the construction of its railway right of way at Juno, Dade County, Florida, at a point which is south of the 28th degree of latitude; that the said work consists of grubbing and grading a certain portion of the railway right of way of said Company, and that this affiant actually saw said work done.

(Signed) "J. F. BERGEN.

"Sworn to and subscribed before me at West Palm Beach, Florida, this 27th day of May, A. D. 1903.

(Signed) "EUGENE F. HAINES,

(Seal) "Justice of the Peace of the 13th Justice District."

"STATE OF FLORIDA, }  
"COUNTY OF DADE. }

"Before me personally appeared Emanuel Peterson, to me well known, who being duly sworn deposes and says that the Florida Grand Trunk Railway Company, a corporation created and organized under the laws of the State of Florida, has actually on this 26th day of May A. D. 1903, commenced the construction of its railway right of way at Juno, Dade County, Florida, at a point which is South of the 28th degree of latitude; that the said work consists of grubbing and grading a certain portion of the



railway right of way of said Company, and that this affiant actually did work thereon.

(Signed) "EMANUEL PETERSON."

"Sworn to and subscribed before me at West Palm Beach, Florida, this 27th day of May, A. D. 1903.

(Signed) "EUGENE F. HAINES,

(Seal) "Justice of the Peace of the 13th Justice District."

"STATE OF FLORIDA, }  
"COUNTY OF DADE. }

"Before me personally appeared Dr. J. A. McLeay, to me well known, who being duly sworn deposes and says that the Florida Grand Trunk Railway Company, a corporation created and organized under the laws of the State of Florida, has actually on this 26th day of May A. D. 1903, commenced the construction of its railway right of way at Juno, Dade County, Florida, at a point which is South of the 28th degree of latitude; that the said work consists of grubbing and grading a certain portion of the railway right of way of said Company, and that this affiant actually saw said work done.

(Signed) "J. A. McLEAY.

"Sworn to and subscribed before me at West Palm Beach, Florida, this 26th day of May A. D. 1903.

(Signed) "C. C. CHILLINGSWORTH,

(Seal.) "Notary Public State of Florida at Large."

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.

W. M. McINTOSH, JR.,

Secretary.

Tallahassee, Fla., June 2, 1903.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

W. V. Knott, Treasurer.

J. B. Whitfield, Attorney General.

B. E. McLin, Commissioner of Agriculture.

At a meeting of the Board of Trustees of the Internal Improvement Fund held this day, the Commissioner of Agriculture was directed to sell 8,837.76 acres of the I. I. lands in T. 13 S., R. 13 E., T. 14 S., R. 15 E., and Tps.

14, 15 and 16, R. 16 E., to William Rath and Warren A Cartier for the sum of \$1.00 per acre.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.

W. M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., June 6, 1903.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

W. V. Knott, Treasurer.

J. B. Whitfield, Attorney General.

B. E. McLin, Commissioner of Agriculture.

At a meeting of the Trustees of the Internal Improvement Fund, the act of the Legislature passed for the relief of N. W. Marion, approved June 4, 1903, directing the Trustees of the Internal Improvement Fund to pay to the said N. W. Marion the said sum of \$532.80 for claims therein referred to, was presented, and upon motion,

*It is Resolved*, That the Trustees do not recognize the power of the Legislature to direct the Trustees in the discharge of their duties or in the appropriation of the funds of the Internal Improvement Fund.

Capt. F. A. Hendry appeared before the Trustees and presented affidavits, statements, accounts, etc., showing that the closing of the Hicpochee canal has been the means of reclaiming large areas of lands which said lands are considered permanently reclaimed and suitable for further improvement by cultivation and occupation; Therefore,

*Be it Resolved*, That the sum of three thousand, three hundred and twenty-five dollars and fifty-three cents be sent to Capt. F. A. Hendry as agent for the Trustees to pay for the closing of said canal, upon proper receipts and vouchers to be sent to the Trustees.

*Whereas*, On Sept. 14th, 1859, N. P. Marion paid to the Trustees of the Internal Improvement Fund the sum of one hundred and twenty dollars for the following as swamp and overflowed lands, to-wit: Frac. sec. 12 T. 1 S., R. 13 E., lying south of Suwannee River, except NE $\frac{1}{4}$  of NW $\frac{1}{4}$  of said section.

*And Whereas*, It is now ascertained that the said land does not belong to the Trustees as was supposed when the above sum was received, and

*Whereas*, It is made to appear to the Trustees that interest should be allowed on the amount so received, together with the said account

*And Whereas*, The Trustees, without considering this as a precedent, agree to allow interest at the rate of six per cent per annum.

*Therefore be it resolved*. That the sum of \$434.40, divided into two checks, one for \$156.00 on his verbal order and one for \$278.40 in his own name be paid to N. W. Marion upon the delivery by him of a quit claim deed to the Trustees of said land.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
W. M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., June 8, 1903.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

W. V. Knott, Treasurer.

J. B. Whitfield, Attorney General.

B. E. McLin, Commissioner of Agriculture.

WHEREAS, the minutes of the Trustees of the Internal Improvement Fund show that, on April 13, 1878, the following resolution was adopted, to-wit:

"Be it Resolved by the Board of Trustees of the Internal Improvement Fund of Florida, that, as compensation for the services of Sidney I. Wailes, Esquire, agent and attorney of the State of Florida before the Department of the Interior at Washington in procuring an adjustment of the claims of the State for lands granted by Congress under the Act of September 28, 1850, this Board will pay to said Sidney I. Wailes twenty per cent. of all moneys paid over to the State on account of Swamp lands purchased from the United States prior to the third day of March, 1857, under the Acts of Congress of March 2, 1855, and March 3, 1857, and also twenty per

cent. of all warrants or certificates issued to the State under said acts on account of lands located by warrants or script prior to said third day of March, 1857—And, upon the receipt of patents for any lands selected by the State as Swamp Lands prior to 1861, which have not yet been patented to the State for any reason, this Board will convey to the said S. I. Wailes eight per cent. thereof, in consideration of his services in procuring said patents; and for procuring the approval and confirmation of the lands selected for the State as Swamp Lands since 1861, the Board will pay such reasonable compensation as may hereafter be agreed upon."

AND WHEREAS, the said minutes show that the Trustees did, on October 19, 1878, take the following action:

"The Secretary laid before the Board a letter from S. I. Wailes, Esq., stating what progress had been made in the General Land Office towards the adjustment of the land claims of the State, and inquiring what compensation will be allowed him for procuring the approval and patenting of swamp lands selected for the State since 1861. It was unanimously agreed by the Board that they will allow as compensation to Mr. Wailes for procuring the confirmation of swamp lands selected for the State since the war two cents per acre for every acre patented to the State, to be paid in lands at the current price for such lands at the date of any payment."

AND WHEREAS, the minutes of the Trustees of July 24, 1886, show that the following action was taken by the Trustees:

"Whereas, Sidney I. Wailes has resigned his appointment as agent of the State of Florida before the Department of the Interior at Washington for the purpose of adjusting the claims of the State for lands selected under the act of Congress approved September 28th, 1850, and his resignation has been accepted with the understanding that he will continue to represent the State as to all lists made and filed in the General Land Office on or before April 21st 1886; and

Whereas, the said Wailes has requested that this Board will state definitely what work he is expected to continue, in order that there may be no doubt as to the extent of his

authority, and that no misunderstanding may hereafter arise with regard to his duties or compensation; Therefore,

*Resolved*, That Sidney I. Wailes is expected to represent the State before the Land Department at Washington for the purpose of procuring confirmation and patenting of the lands selected for the State under the act of Congress of September 28th, 1850, prior to 1861, and for the purpose of procuring indemnity either in cash or certificates for all lands selected for the State prior to March 3d, 1857, which had been entered or located in the United States Land Office subsequent to September 28th, 1850, of which the said Wailes has or may file lists and establish proofs before the Department, also in procuring the patents for lands selected since 1861, by Williams and Swann and by Williams, Swann & Corley, which have not already been patented, and also in procuring patents for the lands selected by John A. Henderson, Selecting Agent, in lists numbered 5 to 32 inclusive, the said Wailes to receive in compensation for his services the same amount agreed upon in his contracts with the Trustees."

AND WHEREAS, The minutes of the Trustees of the Internal Improvement Fund of December 2, 1890, show the following action:

"An application from S. I. Wailes, Esq., for authority to adjust the land claims of the I. I. Fund before the Land Department at Washington, and to procure approval of indemnity for I. I. lands, was presented, and on motion the Board declined to enter into any arrangement on the subject."

AND WHEREAS, The said Sidney I. Wailes has applied to the Trustees for a settlement of all his claims against the Trustees for services rendered to them and to the Internal Improvement Fund under the above mentioned agreements; and,

WHEREAS, It is the purpose of the Trustees to make a full and final settlement with the said Wailes for any and all services of any kind whatsoever which he may have rendered or which he may claim to have rendered the Trustees of the Internal Improvement Fund for any and all services of whatever nature, and that this settlement shall be full and final; Therefore,



BE IT RESOLVED, That the sum of five thousand, one and forty one hundredths (\$5,001.40) dollars be paid to said Sidney I. Wailes as full and final settlement of any and all claims against the Trustees of the Internal Improvement Fund or against the Internal Improvement Fund upon the receipt of the said Sidney I. Wailes acknowledging a full and final settlement of any and all claims and accounts of whatsoever nature or kind against said Trustees and the said Internal Improvement Fund.

The following receipt from S. I. Wailes was presented and ordered spread upon the minutes:

Tallahassee, Fla., June 8, 1903.

Received of the Trustees of the Internal Improvement Fund the sum of five thousand, one and forty one hundredths (\$5,001.40) dollars in full and final settlement of any and all claims for services of any kind whatsoever which I have rendered to the Trustees of the Internal Improvement Fund or to the Internal Improvement Fund of Florida under agreements with the said Trustees or otherwise; and in full settlement of any and all claims for services that may have been rendered in connection with lands that have not yet been approved or patented to the State, and all services for securing indemnity whether in land or money.

This receipt being intended to be a full and final settlement of all contracts, services, claims and all demands past, present or future with reference thereto, against the Trustees of the Internal Improvement Fund or against the Internal Improvement Fund of Florida.

(Signed.) S. I. WAILES.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.

W. M. McINTOSH, JR.,

Secretary.

Tallahassee, Fla., June 13, 1903.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

W. V. Knott, Treasurer.

J. B. Whitfield, Attorney General.

B. E. McLin, Commissioner of Agriculture.

*Whereas*, The Trustees of the Internal Improvement Fund of Florida, erroneously sold the SW $\frac{1}{4}$  of SW $\frac{1}{4}$  of Sec. 11, T. 21 S., R. 18 E., containing 39.94 acres, to Robert L. Thompson for the sum of \$1.00 per acre, and conveyed the same to him by Deed No. 9,388 August 5th. 1880;

As the said land have not been patented to the State and have been entered of the U. S. Government;

*And Whereas*, B. F. McCall and W. C. White, executors of the estate of John F. White, have furnished an abstract showing that they are the present owners of said lands through said Robert L. Thompson, and have executed a quit-claim deed for same to the said Trustees of the Internal Improvement Fund of Florida, and requested them to return the purchase money of \$39.94 with interest;

*Resolved*, That the Treasurer of this Board be, and he is hereby directed to remit to said B. F. McCall and W. C. White, executors, the sum of \$39.94, being the amount of the purchase money received by the said Trustees for same, there being an act of the Legislature forbidding the same, no interest can be paid:

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.

W. M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., June 29, 1903.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

W. V. Knott, Treasurer.

J. B. Whitfield, Attorney General.

B. E. McLin, Commissioner of Agriculture.

The following bill was approved and ordered paid:

F. A. Hendry, Agent, expenses of closing the canal between Lake Okeechobee and Lake Hicpochee, \$3,325.53.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.

W. M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., July 1, 1903.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

W. V. Knott, Treasurer.

J. B. Whitfield, Attorney General.

B. E. McLin, Commissioner of Agriculture.

The following bills were approved and ordered paid:

Harry D. Hartt, for files, etc., for Salesman's office,  
\$163.85.

John McDougall, P. M., for postage and stationery for  
Salesman's office, \$85.40.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.

W. M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., July 2, 1903.

The Trustees met in the Executive Office.

Present: A. C. Croom, Comptroller.

W. V. Knott, Treasurer.

J. B. Whitfield, Attorney General.

B. E. McLin, Commissioner of Agriculture.

The following resolution was adopted:

*Whereas*, By resolution dated July 25th, 1901, the Trustees of the Internal Improvement Fund accepted the proposition of J. M. Barrs, Attorney, to purchase all of the unsurveyed lands belonging to the said Trustees in the counties of Lee and Monroe, at thirty cents per acre, area measurements, for purposes of drainage and reclamation.

*And Whereas*, The said J. M. Barrs, Attorney, paid to the said Trustees the sum of ten thousand dollars to be applied as a part of the purchase price, or to be retained by the Trustees as a forfeit upon the failure of said Barrs, Attorney, to complete the said purchase within the time allowed by the Trustees,

*And, Whereas*, by resolution dated July 29th, 1902, the Trustees agreed to sell to said J. M. Barrs, Attorney, for purposes of drainage and reclamation, certain unsurveyed lands in Dade County at thirty cents per acre.

*Therefore be it resolved*, That deeds be made to said J. M. Barrs, Attorney, or his order, for the following lands,

to-wit: All of the odd numbered sections in townships 50 S, R 32 E, T 50 S, R 33 E, T 52 S, R 33 E, T 53 S, R 33 E, T 50 S, R 34 E, T 53 S, R 34 E, All of Sec 19, SW $\frac{1}{4}$  of Sec 20, All of secs 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36, T 52 S, R 35 E, and all of T 53 S, R 35 E, excepting sec. 16, in the counties of Lee and Dade, and containing 100,000 acres, upon the payment to the Trustees of the sum of \$30,000.00, the same being thirty cents per acre for said lands. The ten thousand dollars now held by the Trustees, shall be retained as part payment on the final purchase of the lands contracted to be sold said Barrs, Attorney, or as a forfeit in case of failure to purchase.

Upon the passage of the above, J. M. Barrs, Attorney, appeared before the said Trustees and requested that deeds be made to Charles H. Scott of Montgomery, Alabama, for the above described lands, which was done.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.

W. M. McINTOSH, JR.,

Secretary.

Tallahassee, Fla., July 3, 1903.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

W. V. Knott, Treasurer.

J. B. Whitfield, Attorney General.

B. E. McLin, Commissioner of Agriculture.

The following bill was approved and ordered paid:

J. W. Nolan, for repairing copying press in Salesman's Office, \$1.00.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.

W. M. McINTOSH, JR.,

Secretary.

Tallahassee, Fla., July 4, 1903.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

W. V. Knott, Treasurer.

J. B. Whitfield, Attorney General.

B. E. McLin, Commissioner of Agriculture.

The following bill was approved and ordered paid:

I. B. Hilson, blanks for Salesman's Office, \$149.90.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.

W. M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., July 12, 1903.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

W. V. Knott, Treasurer.

J. B. Whitfield, Attorney General.

B. E. McLin, Commissioner of Agriculture.

The following communications were read and ordered spread upon the minutes:

"Tallahassee, July 11th, 1903.

"His Excellency,

"W. S. Jennings, President.

"Trustees of the Internal Improvement Fund,

"Tallahassee, Florida.

"Dear Sir:—I have the honor to enclose herewith a letter from Mr. George M. Robbins of the 17th ult., with specifications for the construction of the Florida Central and Indian River Railroad Company.

"Very respectfully,

(Signed.) "B. E. McLIN,

"Commissioner of Agriculture.

"By C. B. GWYNN."

"Tallahassee, Fla., June 17th, 1903.

"Hon. B. E. McLin.

"Tallahassee, Florida.

"Dear Sir:—Enclosed I hand you specifications for the construction of the Florida Central & Indian River Rail-



road Co., which it is hoped will meet with the approval of the Board so as to give this road the status of a land grant road.

"Yours truly,

(Signed.) "GEO. M. ROBBINS.

"Dictated G. M. R.

"Enclosure."

"Central Florida & Indian River Railroad Company.

"Office of the Chief Engineer.

#### "SPECIFICATIONS FOR CONSTRUCTION.

"First—Maximum grade shall be seven tenths of one per cent. Maximum curve on main line six degrees, curves on turnouts and in yards not to exceed ten degrees.

"Second—The line of road for sixty feet from the centre shall be cleared of all standing timber.

"Third—The grade shall be for a single track except at depots, turn-outs and similar places. Road-bed in cuts to be twenty feet in width, with ditches from two feet to three and a half feet in depth below grade. Embankments to be sixteen feet wide at grade and slopes of both cuts and fills to be one and a half to one for earth; rock cuts to be given a slope to be fixed by the Chief Engineer according to the character of the rock. The road bed shall be so constructed as to permit perfect drainage so that standing water shall not come within two feet of the lower side of the cross ties.

"Fourth—Cross ties to be not less than seven by nine and not less than eight feet long, and there shall not be less than two thousand six hundred and forty to the mile.

"Fifth—The standard plans for culverts and small openings shall be submitted to the State Engineer for approval. Crossings of all navigable streams shall be made in accordance with plans to be approved by the U. S. War Department.

"Sixth—The gauge of the road shall be four feet nine inches.

"Seventh—The rails shall be of steel and shall not be lighter than sixty pounds to the lineal yard.

(Signed) "J. O. FRIES,

"Chief Engineer."

"St. Augustine, Fla., July 10th, 1903.

"To the Board of Trustees of the Internal Improvement Fund,

"Tallahassee, Fla.

"Gentlemen—Enclosed herewith please find certified copy of resolutions passed by the Board of Directors of the Florida Coast Line Canal and Transportation Company July 3, 1903, accepting an act of the last legislature, approved May 30th, 1903, entitled 'An act to extend the time for completing the Canal of the Florida Coast Line Canal and Transportation Company, and to preserve and continue the grant of land, to aid in its construction.'

"Please acknowledge receipt of same and oblige.

"Yours respectfully,

(Signed.) "GEO. W. GIBBS,

"Asst. Secty."

"At a meeting of the Directors of 'THE FLORIDA COAST LINE CANAL AND TRANSPORTATION COMPANY' duly called and held at the offices of the Company on the third day of July, A. D., 1903, the following resolutions were adopted:

"*Resolved*, That 'THE FLORIDA COAST LINE CANAL AND TRANSPORTATION COMPANY' hereby accepts the provisions of an Act of the last Legislature of the State of Florida, approved May 30th, A. D., 1903, and entitled 'AN ACT TO EXTEND THE TIME FOR COMPLETING THE CANAL OF 'THE FLORIDA COAST LINE CANAL AND TRANSPORTATION COMPANY' AND TO PRESERVE AND CONTINUE THE GRANT OF LAND TO AID IN ITS CONSTRUCTION.'

"*Resolved*, That the foregoing resolution be entered on the minutes of the Company and that a certified copy thereof be furnished by the Secretary of this Board to the Trustees of the Internal Improvement Fund of the State of Florida, at Tallahassee, Florida, notifying them of acceptance of the provisions of the said Act by the said Company, and to request an acknowledgement of the receipt and filing thereof."

"I certify that the foregoing are true copies of resolutions passed at a meeting of the Board of Directors of the

Florida Coast Line Canal and Transportation Company,  
held on the 30th day of July, A. D., 1903.

(Signed.) "SAM MADDOX,  
"Secretary Florida Coast Line Canal and Transportation  
Company."  
(Seal.)

"Tallahassee, July 25, 1903.

"Trustees Internal Improvement Fund of the State of  
Florida, Tallahassee.

"Gentlemen—The Florida Coast Line Canal and Trans-  
portation Company, by their Board of Directors, has ac-  
cepted the provisions of the Act of May 30, 1903, extend-  
ing the time for the completion of its work.

"Respectfully.

(Signed.) "P. W. WHITE,  
"Attorney for the Florida Coast Line Canal & Transporta-  
tion Co."

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.

W. M. McINTOSH, JR.,

Secretary.

Tallahassee, Fla., July 14, 1903.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

W. V. Knott, Treasurer.

J. B. Whitfield, Attorney General.

B. E. McLin, Commissioner of Agriculture.

James A. Waddell appeared before the Trustees and  
made a showing that he had made improvements on cer-  
tain unsurveyed lands in Monroe County at Cape Sable,  
and that he had obtained assignments of claims from  
others who have made similar improvements in the same  
locality. It is upon consideration,

*Resolved*, That the Commissioner of Agriculture is here-  
by authorized to prepare a deed to 1,120 acres of the lands  
above referred to covered by the pre-emption claims 219,  
225 and 227, also the four claims of S. H. Raulerson, S. C.  
Raulerson, H. T. Raulerson and J. E. Raulerson, all set-  
tlers thereon, which claims have all been purchased by,  
and duly assigned to James A. Waddell and filed in the

office of Commissioner of Agriculture, said lands being on and adjoining North, Middle and East Cape Sable, as described in statements and affidavits on file, conveying the same to James A. Waddell for the sum of \$1,400.00, when the lands are so located by him that they can be described by Sections, Township and Range.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
W. M. McINTOSH, JR.,  
Secretary.

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Tallahassee, Fla., August 18, 1903.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.  
A. C. Croom, Comptroller.  
W. V. Knott, Treasurer.  
J. B. Whitfield, Attorney General.  
B. E. McLin, Commissioner of Agriculture.

Hon. Alfred St. Clair-Abrams appeared before the Trustees and presented a certificate issued to Sidney I. Wailes, and requested that a deed be issued to the lands covered by said certificate, which is in words and figures as follows:

"I, B. E. McLin, as the duly elected, qualified and acting Commissioner of Agriculture of the State of Florida:

"HEREBY CERTIFY, that as such officer, I am the lawful custodian of all the papers and records of the State of Florida relating to its lands, land sales and land entries, and that said records show that on the 13th of January 1892, the following lands were embraced in entry No. 14,557 made to Sydney I. Wailes on his eight per cent account as State Agent, to-wit:

|                                                                  | Sec. | T. S. | R. E. | Acres  |
|------------------------------------------------------------------|------|-------|-------|--------|
| "NE $\frac{1}{4}$ and NW $\frac{1}{4}$ of SE $\frac{1}{4}$ ..... | 13   | 36    | 25    | 200.00 |
| E $\frac{1}{2}$ .....                                            | 24   | 36    | 25    | 320.00 |
| S $\frac{1}{2}$ .....                                            | 25   | 36    | 25    | 320.00 |
| SE $\frac{1}{4}$ .....                                           | 26   | 36    | 25    | 160.00 |
| E $\frac{1}{2}$ .....                                            | 35   | 36    | 25    | 320.00 |
| All .....                                                        | 36   | 36    | 25    | 640.00 |
| N $\frac{1}{2}$ .....                                            | 1    | 37    | 25    | 317.08 |
| N $\frac{1}{2}$ .....                                            | 2    | 37    | 25    | 316.72 |
| NE $\frac{1}{4}$ .....                                           | 3    | 37    | 25    | 158.94 |
| All .....                                                        | 14   | 37    | 25    | 640.00 |
| E $\frac{1}{2}$ .....                                            | 24   | 37    | 25    | 320.00 |
| E $\frac{1}{2}$ .....                                            | 25   | 37    | 25    | 320.00 |

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 4,032.74

And that special certificates numbered 7, 9, 10 and 11, were issued to the said Sydney I. Wailes, agreeing to convey the said lands to Sydney I. Wailes or his assigns, upon the return and surrender of said special certificates numbered 7, 9, 10 and 11, and further that there is no record in this office that said certificates have been returned, or that the State has ever issued deeds to anyone for said above described land.

"IN TESTIMONY WHEREOF, I have hereunto set my hand officially and have caused the seal of the (Seal) Department of Agriculture of the State of Florida to be hereunto affixed, at the Capitol in the City of Tallahassee, on this the 6th day of June A. D. 1903.

(Signed.) "B. E. McLIN,

"Commissioner of Agriculture of the State of Florida."

After consideration, it was decided that a transfer and release would be required from Sydney I. Wailes before a conveyance could be made, and the Commissioner of Agriculture was requested to ascertain, from the records in the office of the Clerk of the Circuit Court of the counties in which the land in question is located, whether or not there has been a transfer by Sydney I. Wailes of any of the land applied for.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.

W. M. McINTOSH, JR.,

Secretary.



Tallahassee, Fla., August 26, 1903.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.  
A. C. Croom, Comptroller.  
W. V. Knott, Treasurer.  
J. B. Whitfield, Attorney General.  
B. E. McLin, Commissioner of Agriculture.

The following bill was approved and ordered paid:

M. Ohmer's Sons & Co., desk for Salesman's Office,  
\$55.00.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
W. M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., August 29, 1903.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.  
A. C. Croom, Comptroller.  
W. V. Knott, Treasurer.  
J. B. Whitfield, Attorney General.  
B. E. McLin, Commissioner of Agriculture.

The Commissioner of Agriculture was directed to sell to D. W. Munroe & Co., 75c per acre the following described lands to wit:

N.  $\frac{1}{2}$  of N. W.  $\frac{1}{4}$ , S.  $\frac{1}{2}$  of S. W.  $\frac{1}{4}$ , N. W.  $\frac{1}{4}$  of S. E.  $\frac{1}{4}$  and S.  $\frac{1}{4}$  of Sec. 25.

N.  $\frac{1}{2}$  and S. W.  $\frac{1}{4}$  of Sec. 26.

All of fractional Sec. 27.

N.  $\frac{1}{2}$  of Sec. 34 in township 23 S. R. 35 E.

E.  $\frac{1}{2}$  of N. E.  $\frac{1}{4}$ , N. W.  $\frac{1}{4}$  of N. E.  $\frac{1}{4}$ , N. W.  $\frac{1}{4}$  of N. W.  $\frac{1}{4}$ , S. E.  $\frac{1}{4}$  and S.  $\frac{1}{2}$  of S. W.  $\frac{1}{4}$  of Sec 5

E.  $\frac{1}{2}$  of Sec. 8.

E.  $\frac{1}{2}$  Sec. 17.

All Sec. 21.

S.  $\frac{1}{2}$  and N. W.  $\frac{1}{4}$  Sec. 22 in Tp. 25 S. R. 36 E.

Proofs being presented verbally and by affidavits showing the lands to be of an inferior quality and that 75c per acre would be a good price for the same.

The following bills were approved and ordered paid:  
 Volusia County Abstract Co., \$5.00, for certificates as to titles of lands for Commissioner of Agriculture.

Polk County Abstract Co., \$2.00, for certificates as to titles of lands for Commissioner of Agriculture.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
 W. M. McINTOSH, JR.,  
 Secretary.

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Tallahassee, Fla., August 31, 1903.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

W. V. Knott, Treasurer.

J. B. Whitfield, Attorney General.

B. E. McLin, Commissioner of Agriculture.

The following bills were approved and ordered paid:

The The Biscayne Bay Abstract Company, \$5.00, for certificates as to titles of lands for the Commissioner of Agriculture.

Eugene C. Dearborn, Clerk of the Circuit Court of Dade County, \$1.65, for certificates as to titles of lands for the Commissioner of Agriculture.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
 W. M. McINTOSH, JR.,  
 Secretary.

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Tallahassee, Fla., September 2, 1903.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

W. V. Knott, Treasurer.

J. B. Whitfield, Attorney General.

B. E. McLin, Commissioner of Agriculture.

The following bills were approved and ordered paid:

A. B. Ferguson, Clerk of Polk County, for abstract for Salesman's Office, \$1.00.

W. M. Hendry, Clerk Circuit Court of Lee County, for abstract for Salesman, \$2.50.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
W. M. McINTOSH, JR.,  
Secretary.

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Tallahassee, Fla., September 10, 1903.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.  
A. C. Croom, Comptroller.  
W. V. Knott, Treasurer.  
J. B. Whitfield, Attorney General.  
B. E. McLin, Commissioner of Agriculture.

The following bill was approved and ordered paid:

National Bank of the State of Florida, for five (5) Baker County bonds, Nos. 14, 15, 16, 39 and 45, of the denomination of \$100.00 each, \$500.00.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
W. M. McINTOSH, JR.,  
Secretary.

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Tallahassee, Fla., September 23, 1903.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.  
A. C. Croom, Comptroller.  
W. V. Knott, Treasurer.  
J. B. Whitfield, Attorney General.  
B. E. McLin, Commissioner of Agriculture.

The Commissioner of Agriculture presented a letter from Hon. Alfred St. Clair-Abrams and an assignment of all the right, title and interest of Sidney I. Wailes in and to the lands described in a certificate presented to the Trustees, August 18th, 1903, by Mr. Abrams. Said letter and assignment is in words and figures as follows:

## COPY.

"Hon. B. E. McLin,

"Tallahassee, Fla.

"Dear Sir:—I send you herewith the full release you sent for Col. Wailes' signature. Please do me the kindness to send as soon as possible the deed to these lands, so that I may at once proceed to protect them from the turpentine men holding tax deed.

"Yours very truly,

"ALFRED ST. CLAIR-ABRAMS."

"Tavares, Fla., Sept. 8th, 1903."

"STATE OF ILLINOIS, {

"COUNTY OF COOK. {

THIS INSTRUMENT, executed on this the third day of September, 1903, WITNESSETH, That I, Sidney I. Wailes, hereby assign to D. H. McMillan all of the lands in the within certificate, and request the Trustees of the Internal Improvement Fund of Florida to deed the lands described in said certificate, as shown by the records in the Office of Commissioner of Agriculture of said State, to D. H. McMillan. AND I HEREBY CERTIFY, That I have lost the certificates issued by the Trustees to me covering the within lands, and I have not assigned them to any one, and that I hold in my own right no other certificates for lands against the said Trustees, this being the last and only claim I hold against said Trustees for lands under certificates or otherwise, all others having been heretofore assigned by me to other parties.

"IN WITNESS WHEREOF, I have hereunto affixed my signature and seal on this the above named date.

(Signed) "SIDNEY I. WAILES (SEAL)"

"Attest:

"Subscribed and sworn to before me this third day of September, A. D. 1903.

JOHN MALONEY,

"Notary Public."

The Commissioner also stated that the reports from the Clerks of the Circuit Court showed that no transfer from Sidney I. Wailes was of record; whereupon it was ordered that a deed of conveyance of the lands covered

by the certificate and transfer as aforesaid be issued to D. H. McMillan.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
W. M. McINTOSH, JR.,  
Secretary.

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Tallahassee, Fla., September 24, 1903.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.  
A. C. Croom, Comptroller.  
W. V. Knott, Treasurer.  
J. B. Whitfield, Attorney General.  
B. E. McLin, Commissioner of Agriculture.

The following bill was approved and ordered paid:

Geo. W. Reynolds, Clerk of the Circuit Court of Monroe County, for abstract for Salesman, \$5.00.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
W. M. McINTOSH, JR.,  
Secretary.

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Tallahassee, Fla., September 26, 1903.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.  
A. C. Croom, Comptroller.  
W. V. Knott, Treasurer.  
J. B. Whitfield, Attorney General.  
B. E. McLin, Commissioner of Agriculture.

The Commissioner of Agriculture was directed to issue a deed to John M. Lee of Osceola County, Florida, covering Lot 1 or all fractional Section 12, T. 29 S. R. 30 E., at \$1.00 per acre; it having been shown that this purchase was for the benefit of actual settlers, and not for speculation.

The Commissioner of Agriculture was directed to issue deed to Lots 4 & 5 of Sec. 21: Lots 3 & 4 and W $\frac{1}{2}$  of SW $\frac{1}{4}$  14 I. I. Vol. V.



of Sec. 22:  $W\frac{1}{2}$  of  $NW\frac{1}{4}$  of Sec. 27: Lot 4,  $SE\frac{1}{4}$  of  $SE\frac{1}{4}$  and  $W\frac{1}{2}$  of  $SE\frac{1}{4}$  of Sec. 28 and Lot 2 of Sec. 33, in T. 19 S. R. 32 E., to James Council of Telfair County, Georgia, upon application of S. A. Robinson of Orange County, Florida; It having been shown that said lands were desired for the purpose of completing a stock pasturage farm, and that the lands were useless except for this purpose. The Commissioner of Agriculture was directed to sell said above described lands at \$1.00 per acre.

The Commissioner of Agriculture was also directed to issue deed to John M. Lee of Osceola County, Florida, embracing the  $SE\frac{1}{4}$  of Sec. 33, and the  $SW\frac{1}{4}$  of Sec. 34, T. 27 S. R. 30 E., embracing 320.00 acres, at \$1.00 per acre; it having been shown that said lands were desired for pasturage, and not for speculation.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
W. M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., October 16, 1903.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.  
A. C. Croom, Comptroller.  
W. V. Knott, Treasurer.  
J. B. Whitfield, Attorney General.  
B. E. McLin, Commissioner of Agriculture.

The following bill was approved and ordered paid:  
Harry D. Hartt, for carpet lining and laying carpet,  
\$8.80.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
W. M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., October 31, 1903.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.  
 A. C. Croom, Comptroller.  
 W. V. Knott, Treasurer.  
 J. B. Whitfield, Attorney General.  
 B. E. McLin, Commissioner of Agriculture.

It was ordered that the salary of Miss Ethel Bowen, stenographer and typewriter for the Trustees, be and is hereby fixed at seventy-five dollars per month, from Nov. 1st, 1903.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.

W. M. McINTOSH, JR.,  
 Secretary.

Tallahassee, Fla., November 3, 1903.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.  
 A. C. Croom, Comptroller.  
 W. V. Knott, Treasurer.  
 B. E. McLin, Commissioner of Agriculture.

It was ordered that Moses Shepard be allowed ten dollars per month from October 1st, as janitor for Salesman and Secretary.

It was ordered that the sum of thirty dollars be paid for the services of janitor for Salesman and Secretary from July 1st to November 1st, 1903, to cover the period for which no payment has been made therefor.

The following bills were approved and ordered paid:

John McDougall, postmaster, \$63.60, for postage for Salesman's office.

S. B. Chapin, \$2.50, for field notes furnished the State Land Office.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.

W. M. McINTOSH, JR.,  
 Secretary.

Tallahassee, Fla., November 11, 1903.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

W. V. Knott, Treasurer.

J. B. Whitfield, Attorney General.

B. E. McLin, Commissioner of Agriculture.

After considering the application of Samuel W. Teague, requesting the Trustees to allow him to substitute the following lands, which were ordered set aside for him under resolution of Trustees of May 16, 1903, and which he made a mistake in selecting, as set out fully in his letter of October 27, 1903, to the Commissioner of Agriculture, viz:

|                  |                           |          |
|------------------|---------------------------|----------|
| Lots 6 & 11      | Sec. 12, T 15 S. R 27 E., | } 235.27 |
| Lots 2, 3, 4 & 6 | 13, 15 27                 |          |

And to take instead the following lands:

|                                                                             |                          |          |
|-----------------------------------------------------------------------------|--------------------------|----------|
| nw $\frac{1}{4}$ of se $\frac{1}{4}$ , sw $\frac{1}{4}$ or se $\frac{1}{4}$ | Sec. 10, T 2 N. R. 12 E. | } 240.21 |
| sw $\frac{1}{4}$ of ne $\frac{1}{4}$ , ne of nw $\frac{1}{4}$               | 22 2 12                  |          |
| sw $\frac{1}{4}$ of ne $\frac{1}{4}$ , se $\frac{1}{4}$ of nw $\frac{1}{4}$ | 28 2 12                  |          |

The Trustees granted the request for the reason as given by Mr. Teague, and the Secretary was requested to furnish a certified copy to the Commissioner of Agriculture.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.

W. M. McINTOSH, JR.,

Secretary.

Tallahassee, Fla., November 23, 1903.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

J. B. Whitfield, Attorney General.

B. E. McLin, Commissioner of Agriculture.

At a meeting of the Trustees of the Internal Improvement Fund, it was agreed to pay Mr. F. B. Bell, acting as the agent of the Trustees, one half of the stumpage realized from the timber cut, and deadhead logs reclaimed, in what is known as "DEAD LAKES" on the Chipola

river; *Provided, however,* That the stumpage charged shall net the State one (\$1.00) dollar per thousand, Mr. Bell representing that \$2.00 per thousand as a good average price. The said Bell to pay all expenses for locating, surveying and guarding the timber, to protect same from trespass, and reporting from time to time to the Commissioner of Agriculture, and to make remittances to the said Commissioner. The said Bell is hereby empowered to fully represent the interest of the State, or the Trustees in this matter, and we hereby ratify the action of the Commissioner of Agriculture, in his heretofore directing Mr. Bell to take up and examine into and report on the condition of the timber, a nd to protect the rights of the State, which was in accordance with the verbal order of the Trustees some weeks since.

The Secretary will file a copy of this order with the Commissioner of Agriculture.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
W. M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., December 10, 1903.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.  
A. C. Croom, Comptroller.  
W. V. Knott, Treasurer.  
J. B. Whitfield, Attorney General.  
B. E. McLin, Commissioner of Agriculture.

The following bill was approved and ordered paid:

I. B. Hilson, for circular letters, etc., for Salesman's Office, \$4.50.

S. J. Ford, for typewriter for Salesman's Office, \$75.00.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
W. M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., December 12, 1903.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

J. B. Whitfield, Attorney General.

B. E. McLin, Commissioner of Agriculture.

The following bills were approved and ordered paid:

S. B. Chapin, for field notes for Salesman's Office,  
\$7.00.

S. J. Ford for typewriter for Salesman's Office, \$75.00.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.

W. M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., January 5, 1904.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

W. V. Knott, Treasurer.

J. B. Whitfield, Attorney General.

B. E. McLin, Commissioner of Agriculture.

The following bill was approved and ordered paid:

The Matthews-Northrup Company, \$200.00, for furnish-  
ing maps of Florida for Salesman's Office.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.

W. M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., January 8, 1904.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

W. V. Knott, Treasurer.

J. B. Whitfield, Attorney General.

B. E. McLin, Commissioner of Agriculture.

It was Resolved, That I. B. Hilson, John G. Ward and  
their associates are authorized to recover all logs and  
timber belonging to the State or to the Trustees of the



Internal Improvement Fund that are now to be found on the beds of rivers and other bodies of navigable water in the State, west of and including the Suwannee River, except that territory covered by authority given F. B. Poll in Chipola or Dead Lake, and in Chipola and Apalachicola rivers. The said logs and timber to be sold at a price not less than two dollars per thousand feet net to the State or to the Trustees for cypress logs and timber, and not less than one dollar per thousand feet net to the State or to the Trustees for pine logs or timber after the payment of all expenses and services of all kinds in the recovery, converting and marketing of said logs and timber. The said I. B. Hilson, John G. Ward and their associates shall account to the Commissioner of Agriculture at least once every six months for all recoveries and sales of said logs and timber. This authority does not extend to logs or timber not now to be found on the beds of navigable rivers and streams as aforesaid. This authority, if exercised in good faith, shall continue for five years from August 1st, 1904, said work to begin within one year from date.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
W. M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., January 11, 1904.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.  
A. C. Croom, Comptroller.  
W. V. Knott, Treasurer.  
J. B. Whitfield, Attorney General.  
B. E. McLin, Commissioner of Agriculture.

It was ordered that \$100.00 be paid to Samuel W. Teague on account of swamp land investigations made by him.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
W. M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., January 12, 1904.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

W. V. Knott, Treasurer.

J. B. Whitfield, Attorney General.

B. E. McLin, Commissioner of Agriculture.

It appearing that the NW $\frac{1}{4}$  of NW $\frac{1}{4}$ , Sec. 23, Tp. 23 S, R. 19 E, was United States land at the time of entry from the State, it was ordered that the Secretary notify Judge Ramsey that the Trustees would allow Geo. W. Morris, who made the entry, to enter another tract of land of equal area in lieu thereof, or would refund the purchase money for said section, amounting to \$49.55, at the option of Mr. Morris.

The following accounts, heretofore approved by the Trustees, were ordered entered on the Minutes: •

Harry D. Hartt, for Desks and Tables for Secretary of Trustees, \$77.00.

The Daily Capital, printing for Agricultural Department, \$4.50.

E. W. Clark, stationery, \$3.80.

James Maley Estate, for work in vault for I. I. Fund, \$29.05.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.

W. M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., January 26, 1904.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

W. V. Knott, Treasurer.

J. B. Whitfield, Attorney General.

B. E. McLin, Commissioner of Agriculture.

The following order was made by the Trustees:

"Whereas, John Eubanks entered of the United States Government the NE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Sec. 26, T. 22 S., R. 19 E., June 21st, 1855, and Mrs. Lula V. Saxon purchased the same through title from said Eubanks, and the United

States Government afterwards, on the 25th of August, 1856, patented the said land to the State, and Mrs. Lula V. Saxon has requested the Trustees of the Internal Improvement Fund to make her a deed in order to perfect her title and has offered \$20.00 for the same;

*It is Ordered*, That a deed be issued to the said Mrs. Lula V. Saxon for said land upon the payment of \$20.00 for same."

The Secretary will furnish a copy of this order to the Commissioner of Agriculture for filing.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
W. M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., January 30, 1904.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.  
A. C. Croom, Comptroller.  
W. V. Knott, Treasurer.  
J. B. Whitfield, Attorney General.  
B. E. McLin, Commissioner of Agriculture.

The Commissioner of Agriculture was authorized to purchase a postal guide for the sum of \$2.50 and a check for that amount was ordered drawn payable to George F. Lasher, Publisher U. S. Official Guide.

It was ordered, that The Southern States Land & Timber Company having deeded to John J. Weeks Lot No. 3 of Section 3, T. 51 S., R. 25 E., containing 12.40 acres, at the request of the Trustees of the Internal Improvement Fund of Florida, to whom the Trustees sold said lot and afterwards erroneously conveyed same to the Louisville & Nashville R. R. Co., which company conveyed to said Southern States Land & Timber Company, the Commissioner of Agriculture is hereby directed to convey 12.40 acres of any vacant State swamp and overflowed lands to said Company in lieu of same.

The Secretary is requested to furnish the Commissioner of Agriculture with a copy of the above.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
W. M. McINTOSH, JR.,  
Secretary.

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Tallahassee, Fla., January 30, 1904.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.  
A. C. Croom, Comptroller.  
W. V. Knott, Treasurer.  
J. B. Whitfield, Attorney General.  
B. E. McLin, Commissioner of Agriculture.

*It was Resolved*, That the Commissioner of Agriculture is authorized to sell at not less than \$1.25 per acre to persons who are actual bona fide settlers on swamp and overflowed lands, upon proof of actual settlement prior to the first day of January, A. D. 1903.

*Provided*, That not more than eighty acres be sold to any one family.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
W. M. McINTOSH, JR.,  
Secretary.

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Tallahassee, Fla., February 2, 1904.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.  
A. C. Croom, Comptroller.  
W. V. Knott, Treasurer.  
J. B. Whitfield, Attorney General.  
B. E. McLin, Commissioner of Agriculture.

Upon application of Hon. C. C. Wilson, Attorney for L. O. Feagin, for the purchase of certain swamp and overflowed lands in Polk county, for drainage and reclamation and actual cultivation,

*It is Ordered*, That the following lands, to-wit:  
Lot 1 (or frac. E.  $\frac{1}{2}$  of NE $\frac{1}{4}$ ) and W $\frac{1}{2}$  of NW $\frac{1}{4}$  Sec. 5, T. 29 S., R. 26 E.

SW $\frac{1}{4}$  of NW $\frac{1}{4}$ , N $\frac{1}{2}$  of SW $\frac{1}{4}$  and SE $\frac{1}{4}$  of SW $\frac{1}{4}$  Sec. 9 T. 29 S., R. 26 E.

SW $\frac{1}{4}$  of NE $\frac{1}{4}$  and W $\frac{1}{2}$  of SE $\frac{1}{4}$ , Sec. 17 T. 29 S., R. 26 E.

W $\frac{1}{2}$  of NE $\frac{1}{4}$ , Sec. 21, T. 29 S., R. 26 E.

NW $\frac{1}{4}$  of SE $\frac{1}{4}$ , Sec. 29 T. 29 S., R. 26 E.

Containing 536.73 acres, be sold to L. O. Feagin, of Polk County, Florida, at one dollar and fifty cents per acre, for the purpose of drainage, reclamation and actual cultivation.

The Secretary will file a copy of this order with the Commissioner of Agriculture.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.

W. M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., February 2, 1904.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

W. V. Knott, Treasurer.

J. B. Whitfield, Attorney General.

B. E. McLin, Commissioner of Agriculture.

The following order, passed on the 21st day of December, A. D. 1903, was ordered spread upon the Minutes:

"The Secretary of the Trustees is ordered to issue check for \$45.00 in favor of John Douglass; being amount paid by said Douglass to the Trustees of the Internal Improvement Fund, May 4, 1891, for a deed to Lot 5, Sec. 13, T. 6 S., R. 15 E., said amount being refunded said John Douglass because said tract of land has never been nor will it ever be patented to the State of Florida by the United States Government, as the United States Government has conveyed by patent to William Cason said Lot 5, Sec. 13 T. 6 S., R. 15 E.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.

W. M. McINTOSH, JR.,  
Secretary.



Tallahassee, Fla., February 3, 1904.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

W. V. Knott, Treasurer.

B. E. McLin, Commissioner of Agriculture.

The following order was passed, viz:

Mr. Samuel W. Teague, acting as the Agent of the Trustees in the work of inspecting lands in place and for indemnity, with the Special Agent of the General Office, Mr. Fred Hoisington, presented his bill of expenses and for salary as per bill filed, which shows a balance of \$244.69 due the said Teague for services and expenses. The same was ordered paid out of the funds in the hands of the Trustees.

It was further ordered that Mr. Samuel W. Teague be authorized to adjust claims for trespass on any of the State's lands and to make terms for cash of such lands as are trespassed upon, reporting to the Commissioner of Agriculture the facts surrounding each case and the value of the lands as they now stand, and the likelihood of the State realizing more to hold or to sell at present, the same to be presented to the Trustees for approval and order of sale, when deemed best to sell. In all cases where the said Teague succeeds in completing a sale, the Trustees agree to allow him 25 per cent. of the gross sale. It is agreed and understood that the said Teague is to do all in his power to prevent and check trespass on the lands of the State. Where he finds trespassers entering on and commencing to use the timber, he shall report the same to the Commissioner of Agriculture; and he, the Commissioner, must call the attention of the sheriff of the county to the fact.

A copy of this order will be filed with the Commissioner of Agriculture and a copy given to Mr. Samuel W. Teague.

The account of John McDougall, postmaster, for stamped envelopes, etc., for Salesman's Office, amounting to \$85.70, was ordered paid.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.

W. M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., February 9, 1904.

The Trustees met in the Executive Office.

Present: A. C. Croom, Comptroller.

J. B. Whitfield, Attorney General.

B. E. McLin, Commissioner of Agriculture.

It appearing from the records in the Comptroller's Office that on the 28th day of April, 1902, a bill for \$72.00 for printing in the land department was erroneously paid out of the fund appropriated for printing in the Agricultural Department;

*Therefore, It is Ordered,* That the Trustees pay bills for printing in the Agricultural Department to the amount of \$72.00 as they may be approved from time to time by the Commissioner of Agriculture.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.

W. M. McINTOSH, JR.,  
Secretary.

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Tallahassee, Fla., February 10, 1904.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

J. B. Whitfield, Attorney General.

B. E. McLin, Commissioner of Agriculture.

The following bill was approved and ordered paid:

Georgia, Florida & Alabama Ry. Co., \$3.51, for freight and drayage on book typewriter.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor

W. M. McINTOSH, JR.,  
Secretary.

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Tallahassee, Fla., February 11, 1904.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

J. B. Whitfield, Attorney General.

B. E. McLin, Commissioner of Agriculture

The following resolutions were read and adopted:

*Resolved*, That the printing of the Minutes of the Trustees in a permanent form be continued as rapidly as copy can be made ready until the Minutes up to and including the thirty-first day of December, A. D. 1904, have been printed; and that thereafter there shall be an additional volume of such Minutes printed every four years or oftener if there shall be sufficient Minutes to make a book of 300 pages or more.

*Resolved further*, That there shall be a separate index prepared and inserted in each volume, and that a general index be prepared from January 6th, 1855, to December 31st, 1904, which general index shall follow the Minutes of 1904.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
W. M. McINTOSH, JR.,  
Secretary.

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Tallahassee, Fla., February 12, 1904.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.  
A. C. Croom, Comptroller.  
J. B. Whitfield, Attorney General.  
B. E. McLin, Commissioner of Agriculture.

The following communication was read and ordered spread upon the Minutes:

"Pensacola, Fla., Jan. 11th, 1904.

"To the Board of Trustees  
Internal Improvement Fund,  
State of Florida.

"Gentlemen: We beg to inform you that we hereby accept the terms set forth in a resolution passed by your Board on the 8th day of January and certified by your Secretary, granting certain privileges in the recovery and disposition of the rights of the State to and in any logs or timber that may be reclaimed from the navigable wa-

ters of the State, and the provisions of said resolution will be strictly adhered to and carried out.

"Very respectfully,

"I. B. HILSON,

"JNO. G. WARD."

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
W. M. McINTOSH, JR.,  
Secretary.

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Tallahassee, Fla., February 20, 1904.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

W. V. Knott, Treasurer.

B. E. McLin, Commissioner of Agriculture.

The following bill was approved and ordered paid:

A. B. Brown, \$5.50, for expenses of investigation of swamp lands in Tp. 3, S., R. 16 E.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
W. M. McINTOSH, JR.,  
Secretary.

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Tallahassee, Fla., February 22, 1904.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

W. V. Knott, Treasurer.

B. E. McLin, Commissioner of Agriculture.

*It was Ordered*, That the sum of five hundred dollars be paid to R. W. Williams, Esq., Attorney for the Trustees, on account of services *in re* Louisville & Nashville Railroad Company against Trustees Internal Improvement Fund of Florida.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
W. M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., April 1, 1904.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.  
A. C. Croom, Comptroller.  
W. V. Knott, Treasurer.  
B. E. McLin, Commissioner of Agriculture.

The following bill was approved and ordered paid:

Edwin A. McKay, \$200.00, for one Elliot book type-writer for Secretary.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
W M. McINTOSH, JR.,  
Secretary.

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Tallahassee, Fla., April 13, 1904.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.  
A. C. Croom, Comptroller.  
W. V. Knott, Treasurer.  
B. E. McLin, Commissioner of Agriculture.

The following bill was approved and ordered paid:

I. B. Hilson, \$42.50, for printing land lists, etc., for Salesman's Office.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
W M. McINTOSH, JR.,  
Secretary.

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Tallahassee, Fla., May 17, 1904.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.  
A. C. Croom, Comptroller.  
W. V. Knott, Treasurer.  
W. H. Ellis, Attorney General.  
B. E. McLin, Commissioner of Agriculture.

The Commissioner of Agriculture stated that there were several applications from persons desiring to purchase lands in what is generally known as the Florida Coast Line Canal and Transportation Company's Reserve.



and, after due consideration, it was decided to sell said lands to the highest bidder in such quantities as may be desired, and that sealed bids, giving specific description of Section, Township and Range and amount offered per acre would be received up to noon on the 27th day of May, 1904, at which time such bids will be opened in the presence of the Trustees. All bids must be in writing and sealed and have marked across the envelope "Sealed Bid on Lands." It is distinctly understood that the Trustees reserve the right to reject any and all bids. Notice to be given by the Commissioner of Agriculture as to the terms of this resolution.

It was shown that H. B. Buder had paid to F. B. Bell, Agent of the Trustees, for 12 cypress logs containing 420 feet each, 5040 feet at \$2.00 per thousand feet, and that the same was error, the logs not having been from State lands.

*It is Ordered*, That F. B. Bell refund to the said H. B. Buder the sum of \$10.08, the price of said logs, the same to be paid out of any moneys collected by the said Bell as Agent of the Trustees, taking a receipt for same to be filed as a voucher with his next report to the Trustees. A copy of this order to be given the Commissioner of Agriculture to forward to said F. B. Bell for his government.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.

W M. McINTOSH, JR.,

Secretary.

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Tallahassee, Fla., May 28, 1904.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.  
A. C. Croom, Comptroller.  
W. V. Knott, Treasurer.  
W. H. Ellis, Attorney General.  
B. E. McLin, Commissioner of Agriculture.

The following bill was approved and ordered paid:  
15 I. I. Vol. V.

R. W. Williams, Esq., Attorney of the Trustees,  
\$191.90, on account of expenses attending court as  
such Attorney.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
W M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., June 9, 1904.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

W. V. Knott, Treasurer.

W. H. Ellis, Attorney General.

B. E. McLin, Commissioner of Agriculture.

The following communication was presented and read:

"La Belle, Fla., May 22nd, 1904.

"Gov. W. S. Jennings,

"Tallahassee, Fla.

"My Dear Sir:—I have just returned from the Hicpo-  
chee Canal dam. I am sorry to inform you that an at-  
tempt has been made to blow it out. I do not know the  
parties, but have strong suspicions and hope in a quiet  
way to learn some facts. The main strength of the dam  
is still intact, but it is materially injured. The parties  
who oppose the dam are as a rule very ignorant, backed  
up by designating (a very few) men who are envious  
and largely prejudiced against some of the prime pro-  
moters of the dam. They claim that if an engineer had  
directed the work, or in other words, that if it was the  
work of an engineer authorized by the Board to decide  
as to its necessity, they would raise no objection. It is not  
my purpose to spend any more of the Board's money in  
repairs or maintaining the dam until the U. S. Court de-  
cides the question as to the legal status of the Canal; but  
to ask the Board to send an Engineer as soon as possible  
to examine the work—not to make a thorough survey, but  
to decide from all the data of previous surveys, leveling,  
etc., as to the great importance of the dam in protecting  
the Caloosa Valley. Placing the Canal and dam entirely

under the Engineer's control, leaving the care and control of the dam outside of any of the parties down here who are clamoring for its maintenance or removal. This course, in my candid opinion, would largely settle the matter. I wish that Your Excellency would kindly call a meeting of the Board at your earliest convenience and adopt the plan thus outlined. The people down here are very indignant over the blowing out the dam, and would most heartily endorse the action as proposed by me. Both sides certainly would endorse it. Then when the court decides the matter now pending, such steps as the Engineer deems expedient could be taken. The earth-work on top of th dam is blown off, letting the water flow over the pens and main work.

"I have the honor to be, Your obt. servt.,

"F. A. HENDRY."

After consideration of the foregoing communication, it was decided that the request for the appointment of an Engineer as therein requested be declined and that the Secretary so notify Capt. F. A. Hendry.

Proposals for the purchase of land were presented, as follows:

"Tallahassee, Fla., June 7th, 1904.

"Trustees Internal Imp. Fund,

"Tallahassee, Fla.

"Gentlemen: I herewith submit to you the enclosed bids on lands in Brevard County. I am ready to pay the cash for it, provided my bids are favorably acted upon and you will notify me of the area of each Township.

"Most respectfully submitted,

(Signed)

"J. F. WOOTEN,

"Cocoa, Fla."

"Tallahassee, Florida, June 7th, 1904.

"Trustees Internal Improvement Fund.

"Tallahassee, Fla.

"Gentlemen: I make your Honorable Board the offer of 45 cents per acre for all lands the State owns in Townships 34, 35, 36 and 37 South, Range 39 East.

"Respectfully,

(Signed)

"J. F. WOOTEN,

"Cocoa, Fla."

"Tallahassee, Florida, June 7th, 1904.

"Trustees Internal Improvement Fund,

"Tallahassee, Fla.

"Gentlemen: I make your Honorable Board the offer of 80 cents per acre for all land the State owns in Townships 36 and 37 South, Range 39 East.

"Respectfully,

(Signed)

"J. F. WOOTEN,

"Cocoa, Fla.

The Trustees declined to accept either of said bids, and the Secretary was instructed to so inform Mr. Wooten.

The following Order of Court and Subpoena (a copy of which had been served upon each of the Trustees) were ordered spread upon the Minutes:

"In Circuit Court for the Second Judicial Circuit of the State of Florida, in and for County of Leon. In Chancery.

"Florida Coast Line Canal and  
Transportation Company,

Complainants,

vs.

William S. Jennings, *et al.*,

Defendants.

"This cause coming on to be heard this day on the motion of the complainant for a restraining order or temporary injunction against the said defendants in said above entitled cause, as prayed in the said bill herein on the said sworn bill and the exhibits thereto. It is ordered that a hearing of the said motion for said restraining order or temporary injunction be had before me in town of Quincy, Florida, on Tuesday, the 14th of June, 1904. at 10 A. M. o'clock. and that until said motion is heard and determined and in the meantime that the said defendants, William S. Jennings, A. C. Croom, W. H. Ellis, W. V. Knott and B. E. McLin, individually, and Trustees of the Internal Improvement Fund of the State of Florida, and each of them and their and each of their attorneys, agents, employees and representatives be and they are hereby enjoined and restrained from selling or disposing of or conveying any of the said lands mentioned and described

in said Exhibit "A" to said Bill of Complaint, to any person or persons or corporation or corporations or partnerships other than said complainant in this cause, and from contracting to or trying to sell, dispose or convey the same or any part thereof to any other person or persons, corporation or corporations or partnerships other than said complainants, as prayed in the said Bill.

"Done and ordered at Quincy, Florida, this 4th day of June, A. D. 1904.

(Signed)

"JOHN W. MALONE,

"Judge."

"STATE OF FLORIDA, }  
"COUNTY OF LEON. }

"I, Council A. Bryan, Clerk of the Circuit Court in and for the County aforesaid, do hereby certify that the above and foregoing is a true and correct copy of the original restraining order in the above entitled cause, as appears of record and on file in my office.

"In testimony whereof, I have hereunto set my hand and affixed the seal of said Court this 4th day (SEAL) of June, A. D. 1904.

"COUNCIL A. BRYAN,  
"Clerk Ct. Leon Co., Fla."

#### "SUBPOENA IN CHANCERY.

#### "THE STATE OF FLORIDA—

"To All and Singular the Sheriffs of the State of Florida, Greeting:

"You are hereby required to summon William S. Jennings, A. C. Croom, W. H. Ellis, W. V. Knott and B. E. McLin, individually and as Trustees of the Internal Improvement Fund of the State of Florida, if they be found within your County, that they are commanded and strictly enjoined that laying all other business aside and notwithstanding any excuse, they personally be and appear before the Judge of our Circuit Court for the County of Leon on Monday, the 4th day of July next, at the Court House in said County to answer to a Bill of Complaint exhibited against them in our said Court by Florida Coast Line Canal and Transportation Company, a corporation organized and existing under the laws of



the State of Florida, and then to do further and receive what our said Court shall have considered in that behalf. And that this they must not omit under a penalty of five hundred dollars.

"Witness the Honorable John W. Malone, Judge of said Court, the 4th day of June in the year of our Lord 1904.

(SEAL)

"COUNCIL A. BRYAN,  
"Clerk."

"A true copy,

"CHARLES HOPKINS,  
"Sheriff Leon Co., Fla."

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.

W M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., June 18, 1904.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

W. V. Knott, Treasurer.

W. H. Ellis, Attorney General.

B. E. McLin, Commissioner of Agriculture.

The following bill was approved and ordered paid:

John McDougall, postmaster, \$53.00, for stamped envelopes for Salesman's Office.

The Trustees decided to purchase on account of Relief of Bonded Counties Madison County Bonds numbered 41 and 55, each of the denomination of five hundred (\$500.00) dollars and each having coupon numbered 17 attached thereto; also Madison County Bonds numbered 60 and 112, each of the denomination of one hundred (\$100.00) dollars, and each having coupon numbered 60 attached thereto—for the aggregate sum of twelve hundred thirty seven and thirty-eight one-hundredths (\$1,237.38) dollars, which includes interest on said bonds to December 7th, 1903.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.

W M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., June 20, 1904.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

W. V. Knott, Treasurer.

W. H. Ellis, Attorney General.

B. E. McLin, Commissioner of Agriculture.

Mr. A. D. Carmichael applied to enter for Mr. Eason Tharp, the NE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 14, T. 4 N., R. 12 W., containing 40.14 acres, at \$1.00 per acre, for which he secured the necessary swamp affidavits in 1900, to secure a patent of the United States Government, without expense to the State, and with the understanding with the Trustees that he would be allowed to enter same at \$1.00 per acre when patented to the State.

After considering the application, *It was ordered* that the Salesman allow Mr. Eason Tharp to enter said land at \$1.00 per acre, as per his agreement with the Trustees in 1900.

*It was further Ordered*, That the Salesman allow Wilson Cypress Company to enter Lot 1 of Section 5, T 11 S. R. 27 E. at \$2.50 per acre, as it was shown that all the cypress timber on same had been girdled by parties holding a tax title, and the land would have no value if the timber was removed, or allowed to decay.

It being shown that the Trustees intended to embrace the SW $\frac{1}{4}$  of Section 36, T. 6 S., R. 28 E., in Deed No. 11,661, bearing date of January 5th, 1883, to Florida Land and Improvement Company, by conveying Lots 1 and 2, which the office map shows to embrace the SW $\frac{1}{4}$ , but which is not correct, the Commissioner of Agriculture was directed to prepare proper deed to perfect the title in said Florida Land and Improvement Company for said SW $\frac{1}{4}$  of Sec. 36, T. 6 S., R. 28 E.

The Commissioner of Agriculture was also directed to prepare a deed to George W. Robey for the SW $\frac{1}{4}$  of NW $\frac{1}{4}$  of Sec. 23, T. 29 S., R. 18 E., which was embraced in Entry No. 8,003 of J. R. Askew, Jr., April 5th, 1877, and was not conveyed to him, as said land was not then patented to the State, but has since been patented, and it is shown by abstract of the Tampa Abstract Company that said George W. Robey holds title to same through said J. R. Askew, Jr.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
W M. McINTOSH, JR.,  
Secretary.

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Tallahassee, Fla., July 1, 1904.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.  
A. C. Croom, Comptroller.  
W. V. Knott, Treasurer.  
W. H. Ellis, Attorney General.  
B. E. McLin, Commissioner of Agriculture.

The account of I. B. Hilson, for Minute Book and Record of Disbursements for Trustees, amounting to thirty dollars, was presented and ordered paid.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
W M. McINTOSH, JR.,  
Secretary.

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Tallahassee, Fla., July 13, 1904.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.  
A. C. Croom, Comptroller.  
W. V. Knott, Treasurer.  
W. H. Ellis, Attorney General.  
B. E. McLin, Commissioner of Agriculture.

The Commissioner of Agriculture presented an account for Tabulator and Pointer Attachments for Remington typewriter in use in the Salesman's Office, amounting to twenty-one 50-100 dollars (\$21.50), which was ordered paid. Also, an account of Erastus W. Clark, for stationery for Salesman and Secretary, amounting to two 60-100 dollars (\$2.60), was presented and ordered paid.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
W M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., July 19, 1904.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

W. V. Knott, Treasurer.

B. E. McLin, Commissioner of Agriculture.

The following resolution was adopted:

*Resolved*, That S. V. Coxetter be and is hereby authorized to build a fence from a point on lot one in Section 25, Township 2 N., R. 3 E., opposite what would be the N. W. corner of the NE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 25 by U. S. Survey, thence northeasterly to the N. E. corner of the S. E.  $\frac{1}{4}$  of Section 24. All in township 2, N., R. 3 E. with the right to maintain said fence during the pleasure and until the further order of the Trustees and with the future right to remove the said fence if the land on which it is located shall be disposed of by the Trustees.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.

W M. McINTOSH, JR.,

Secretary.

Tallahassee, Fla., July 26, 1904.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

W. V. Knott, Treasurer.

W. H. Ellis, Attorney General.

B. E. McLin, Commissioner of Agriculture.

The following bonds were presented and ordered to be purchased with the proceeds of the sale of lands under the Act of 1883, Chapter 3488 of the Laws of Florida.

Three Jefferson County bonds, Nos. 64, 71 and 72, of the denomination of five hundred dollars (\$500.00) each, and one Jefferson County bond, No. 193, of the denomination of one hundred dollars (\$100.00), making a total of sixteen hundred dollars (\$1,600.00.)

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.

W M. McINTOSH, JR.,

Secretary.

Tallahassee, Fla., July 29, 1904.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

W. V. Knott, Treasurer.

W. H. Ellis, Attorney General.

B. E. McLin, Commissioner of Agriculture.

Mr. Samuel W. Teague appeared before the Trustees and presented evidence from the Land Department of the Commissioner of Agriculture that 23,168.49 acres of swamp and overflowed lands had been patented by the U. S. Government to the State, the same being a part of the selections made by the said Mr. Teague under an order of March 22nd, 1902, as agent of the Trustees.

It appearing to the satisfaction of the Trustees that the 23,168.49 acres so patented are of such a character as to value, that the said Teague could not afford to bear the expense attached in selecting and examining with the Government agent, therefore the Commissioner of Agriculture is directed to convey to the said Teague or his order, 5,792.12 acres, this being 25 per cent of the amount patented, it appearing from the maps in the Commissioner's office that the amount of acres to be conveyed by the State to the said Teague are of equal value as compared to any other 25 per cent of said lands patented.

Under the above order there have been 5,617.12 acres of land so far conveyed to Mr. Teague, or his order, the conveyance of the remainder of said 25 per cent. to be put of record when deeds are made. Mr. Teague agreed to confine himself to the 15 per cent basis on the other lands selected by him and not yet patented.

The Secretary of the Trustees will file a copy of this order with the Commissioner of Agriculture for his government.

The following resolution was adopted:

*"Resolved*, That the Commissioner of Agriculture be instructed to sell Internal Improvement lands proper at \$2.00 per acre where all such lands in a section are taken, and at \$2.50 per acre where a less quantity is taken, provided that bona fide settlers be allowed to purchase less than all the lands in a section at \$2.00 per acre, such prices to govern in all cases except where otherwise authorized by the Trustees.



The account of H. D. Hartt, for awnings for Salesman's Office, amounting to \$43.00 was ordered paid.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
W. M. McINTOSH, JR.,  
Secretary.

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Tallahassee, Fla., August 4, 1904.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

W. V. Knott, Treasurer.

W. H. Ellis, Attorney General.

B. E. McLin, Commissioner of Agriculture.

Hon. Fred. T. Myers appeared before the Trustees, and after fully explaining the status of the grant to the Augusta, Tallahassee and Gulf Railroad Company, asked for a conveyance of about 37,000 acres of land embraced in Certificates issued to said Company and subsequently transferred to J. J. Kittel, who died, and his widow, Mrs. M. G. Kittel, now owns the certificates. Mr. Myers was requested to present a written petition.

The account of S. B. Chapin, for map tracing for Salesman, amounting to six 50-100 dollars was presented and ordered paid.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
W. M. McINTOSH, JR.,  
Secretary.

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Tallahassee, Fla., August 5, 1904.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

W. V. Knott, Treasurer.

W. H. Ellis, Attorney General.

B. E. McLin, Commissioner of Agriculture.

Fred T. Myers, Esq., appeared before the Trustees and presented the petition of Mrs. Mathilde G. Kittel, execu-

trix of the last will and testament of Joseph J. Kittel, deceased, and sole devisee and legatee under said will, asking the Trustees to make deeds to her for 37,500 acres of land, more or less, a descriptive list of which is attached to the petition, being a part of the lands embraced in Certificate Number 13,909, issued by the Trustees of the Internal Improvement Fund to the Augusta, Tallahassee and Gulf Railroad Company, bearing date March 16th, 1889, and which lands have been patented to the State of Florida by the United States since the issuing of the said certificate, and since the delivery to said Company of Deeds Numbers 13,909 A and 13,909 B for other lands embraced in said Certificate, previously patented to the State by the United States.

After hearing the argument of Mr. Myers on said petition, and duly considering the matters therein set up, the following resolution was offered and adopted:

*Resolved*, That the Commissioner of Agriculture be and he is hereby directed to examine the list of lands attached to the petition of Mathilde G. Kittel, executrix, and ascertain from the records of his office whether the said lands are embraced in Certificate No. 13,909, from the Trustees of the Internal Improvement Fund to the Augusta, Tallahassee and Gulf Railroad Company, and whether said lands have been patented to the State of Florida by the United States, and whether or not any of said lands are embraced in the quitclaim deed from Joseph J. Kittel to the State of Florida, dated October 29th, 1895; and that he report his findings to the Trustees for further consideration.

It was ordered that the petition presented by Mr. Myers be spread upon the Minutes, and it is in words and figures as follows:

"To the Honorable Board of Trustees of the Internal Improvement Fund of the State of Florida:

"Your petitioner, Mathilde G. Kittel, as executrix of the last will and testament of Joseph J. Kittel, deceased, and as sole devisee under said will, respectfully represents unto your Honorable Body:

"That the Board of Trustees of the Internal Improvement Fund of the State of Florida, on the 16th day of March, A. D. 1889, issued to the Augusta, Tallahassee and Gulf Railroad Company a certain Certificate num-

bered 13,909, wherein, after reciting that whereas the Legislature of the State of Florida, by an Act approved February 7th, 1883, entitled 'An Act Granting Aid for the Construction of the Thomasville, Tallahassee, and Gulf Railroad,' in the second section thereof, did grant to the said Company 15,000 acres of land per mile for each mile of said road that the said Company may grade, cross-tie and iron of the lands granted to the State of Florida under Act of Congress of September 28th, 1850, or which may hereafter accrue to the State under said Act of Congress of September 28th, 1850, provided that no lands situated south of latitude 29, or east of longitude 82 and  $\frac{1}{2}$  shall be applicable to the purposes of this Act; and that whereas the Legislature aforesaid, by an Act approved February 19th, 1889, entitled 'An Act to Continue the Rights, Privileges, Powers, Franchises and Grants of the Augusta, Tallahassee and Gulf Railroad Company, formerly the Thomasville, Tallahassee and Gulf Railroad Company, and to Extend the Time for the Completion of the Same,' in the first section thereof, did enact that the rights, powers, privileges, franchises and grants conferred upon the Thomasville, Tallahassee and Gulf Railroad Company, now the Augusta, Tallahassee and Gulf Railroad Company, by an Act entitled 'An Act Granting Aid for the Construction of the Thomasville, Tallahassee and Gulf Railroad Company,' and by Chapters 3643 and 3791, of the Laws of Florida, amendatory thereof, be and the same are hereby continued, and the time limited for the completion of the said railroad extended to the first day of May, 1890, during which time said Company shall be entitled to all rights, privileges, powers, franchises and grants originally conferred by said first mentioned acts; and that whereas the said Augusta, Tallahassee and Gulf Railroad Company, formerly the said Thomasville, Tallahassee and Gulf Railroad Company, has constructed under and in conformity to the provisions of said acts, 10 miles of said road, extending from Carrabelle to the ten mile post in a northeasterly direction, in Franklin County, and has made application to the Trustees of the Internal Improvement Fund for a conveyance of lands to said Company for the construction of said road as part of the lands granted to said Company; and that whereas the following described

lands are believed and claimed to be those granted to the State of Florida by said Act of Congress, approved September 28th, 1850, but have not been patented to the State, 108,971.18 acres of lands lying in the territory aforesaid were definitely described, and the said Trustees thereupon certified that in consideration of the premises, and in conformity with the Acts of the Legislature aforesaid, the said Augusta, Tallahassee and Gulf Railroad Company is entitled to said lands whenever the same shall have been patented to the State of Florida under the said Act of Congress of September 28th, 1850; and that upon receipt of such patents by the State, the said Trustees, or their successors, would convey the said lands to the said Company, its successors and assigns, saving the right of actual settlers on said lands acquired at or before the date hereof, and saving the rights which John A. Henderson and Sydney I. Wailes respectively may have under their respective contracts with the Trustees of the Internal Improvement Fund, aforesaid, for selecting swamp and overflowed lands, and obtaining patents thereto from the State of Florida under said Act of Congress, for which services said Henderson and Wailes have received two cents per acre for each acre of land which shall be patented to the State, to be paid in lands at schedule prices.

"That said certificate was duly signed by the said Trustees of the Internal Improvement Fund in the presence of witnesses, and sealed with the seal of the State Land Office, and was duly delivered to the said Augusta, Tallahassee and Gulf Railroad Company.

"That the Augusta, Tallahassee and Gulf Railroad Company, after receiving said Certificate from the Trustees of the Internal Improvement Fund of the State of Florida, applied to Joseph J. Kittel, of the City of New York, for a loan of money, to be secured by mortgage on said lands. That before making such loan, the said Joseph J. Kittel submitted the question of the title of the said Augusta, Tallahassee and Gulf Railroad Company to said lands to Henry Gischoff, Esquire, his counsel, and the said Bischoff saw Henry A. Blake, the President of said Railroad Company, with reference to the same, and he was referred by him to Charles Edward Tracey, of the firm of Bangs, Stetson, Tracey and Mc-

Veagh, who had given to the said Blake, the President of said Railroad Company, his opinion on the title of said lands under the grant thereof by the State of Florida; and the said Tracey informed the said Bischoff that he had examined into the matter, and that, as a result of his investigation, he believed that the title of the Railroad Company to the lands was incontestable; and the said Joseph J. Kittel acted upon the opinion of the said Tracey, and loaned to the said Augusta, Tallahassee and Gulf Railroad Company, on September 18th, 1889, the sum of \$25,000.00, secured by a mortgage on said lands embraced in said Certificate, and on the 25th of January, 1890, the sum of \$4,450.00, secured by a second mortgage on said lands. All of which will appear from the testimony of said Henry Bischoff and said Joseph J. Kittel, taken in the case of L. & N. R. R. Company vs. Joseph J. Kittel, in the United States Circuit Court for the Northern District of Florida, at Pensacola.

"That the said Augusta, Tallahassee and Gulf Railroad Company failed to pay the loans so made to it by the said Joseph J. Kittel when the same became due, and the said Joseph J. Kittel instituted a suit in the United States Circuit Court for the Northern District of Florida, for the purpose of foreclosing the said mortgages, and made the Trustees of the Internal Improvement Fund of the State of Florida defendants to said foreclosure proceeding. That the said Railroad Company, by its answer, contested the validity of the mortgages, and the Trustees of the Internal Improvement Fund filed an answer, in which they say: 'That the lands described in the bill of complainant were selected as swamp and overflowed lands under the Act of Congress, approved September 28th, 1850, but these defendants are not personally aware of their real character, such question being determined by the Secretary of the Interior, at Washington, D. C., in whom is vested, by law, the authority to decide as to the character of swamp and overflowed lands. Further answering, these defendants say: That the State Engineer having reported favorably upon the construction of ten miles of road by the said Augusta, Tallahassee and Gulf Railroad Company, the Trustees aforesaid, on the 16th day of March, 1889, issued to said Railroad Company a Certificate numbered 13,909, a copy of which is



hereto attached with the description of the lands omitted, made Exhibit 'A,' setting forth that the lands had been earned by the said Railroad Company, and that conveyance by deed to the said lands would be made to the said Company as soon as they were patented to the State of Florida by the United States Government. That subsequently to that date, to-wit: on the 5th day of July, 1890, and on the 2nd day of December, 1890, deeds were made by the Trustees to the said Augusta, Tallahassee and Gulf Railroad Company for a portion of the lands described in said Certificate, as shown by the exhibits hereto attached, marked 'B' and 'C,' which exhibits it is prayed may be taken as a part hereof, the lands so conveyed having been patented to the State of Florida by the United States Government subsequently to the issue of the certificate above referred to. Further answering, these defendants say they will convey by deed to the said Augusta, Tallahassee and Gulf Railroad Company the remaining lands embraced in said certificates above mentioned as soon as patents for the same are issued by the United States Government to the State of Florida, saving and excepting the rights of actual settlers, and the rights of Sydney I. Wailes and John A. Henderson for selecting the lands and procuring patents for swamp and overflowed lands.'

"That testimony was taken in said foreclosure suit, and a hearing had on the bill and answers and testimony, and, on the 8th day of February, A. D. 1892, a decree was made establishing the amount of the indebtedness of the Augusta, Tallahassee and Gulf Railroad Company to the said Joseph J. Kittel on the said mortgage loan at the sum of \$33,270.86, and decreeing that in default of the payment of said sum, with costs, the mortgaged premises be sold at public auction, in the City of Jacksonville, to pay the amount of said indebtedness; and Philip Walter was appointed a Special Master to make said sale, and was authorized to make conveyance of said lands to the purchaser.

"That defendant, Augusta, Tallahassee and Gulf Railroad Company appealed from the said decree to the United States Circuit Court of Appeals, for the 5th Circuit, at New Orleans, and the said decree was affirmed by said Court, the case being reported as *Augusta, Tal-*

Iahassee and Gulf Railroad Company vs. Kittel, in 2nd C. C. A., page 615.

"That after the affirmance of said decree, the said lands were sold pursuant thereto, on the 7th day of November, 1892, by said Philip Walter, and were bid off by the said Joseph J. Kittel, at and for the sum of \$29,500.00, and the said Philip Walter, as Special Master, executed and delivered to the said Joseph J. Kittel a deed for said lands, which the said Joseph J. Kittel had recorded in the several counties in which said lands are situated.

"That in the year 1896 a contest was instituted as to certain of the lands embraced in said certificate 13,909, and in the said deed from Philip Walter, Master, to the said Joseph J. Kittel, before the Department of the Interior, on the ground that they were not, at the time of their selection, of the class of lands granted to the State of Florida under the Act of Congress of September 28th, 1850; and the said Joseph J. Kittel went to much expense and trouble in getting testimony to sustain the title of the State of Florida to said lands, and appeared, by his counsel, with witnesses, before the surveyor General for the State of Florida in said contest, which resulted in establishing the State's rights to a considerable portion of the lands in contest.

"That on the representation of L. B. Wombwell, Commissioner of Agriculture of the State of Florida, that certain of the lands embraced in said certificate, for various reasons, had been improperly certified to the said Joseph J. Kittel, and that certain of them had been entered on account of the contract of Sydney I. Wailes, the said Joseph J. Kittel, by deed bearing date October 29th, 1895, remised, released and quitclaimed to the State of Florida, and its assigns, the right, title and interest of the said Joseph J. Kittel in and to 23,953 acres of said lands, reciting in said deed the various grounds of adverse claim, and that not desiring to cloud the title of any innocent purchaser of the lands, the title of which is derived from the United States, or from the State of Florida, but only wishing a title to those lands which are clear of incumbrances, and in the belief that the authorities of the State of Florida, who have the disposition and control of the swamp and overflowed lands of

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said State, would do him full justice in the matter, he made such relinquishment.

,"That in the year 1899, the L. & N. R. R. Company instituted suit against the said Joseph J. Kittel, in the United States Circuit Court for the Northern District of Florida, at Pensacola, claiming that, as the assignee of the Pensacola and Atlantic Railroad Company, it was entitled to the lands embraced in said certificate 13,909, those which had been patented by the United States to the State of Florida, as well as those which had not been patented, excepting such of said lands as had been remised and quitclaimed by the said Joseph J. Kittel to the State of Florida. That the said claim of the L. & N. R. R. Company was predicated on the priority in the date of the grant to the Pensacola and Atlantic Railroad Company over that of the grant to the Augusta, Tallahassee and Gulf Railroad Company, and the proximity of the said lands to the line of railway constructed by the said Pensacola and Atlantic Railroad Company, and charged that the said certificate and deed from Philip Walter, Master, created a cloud on the title to said lands, and asked that the same be removed and that the title be confirmed in the said plaintiff.

"That the said Joseph J. Kittel defended this suit at the expense of much time and trouble, and a considerable outlay of money. That said suit, after pending for several years, was finally decided in favor of the said Kittel, and the bill of the L. & N. R. R. Company was dismissed.

"That during all the time that the said Kittel has claimed to own said lands by virtue of the certificate and deeds herein before referred to, he has had persons employed to look after and protect the same from trespass, has made improvements on some of them, has had them examined by competent persons to ascertain their character, and in this way has been to very heavy expense with reference to said lands.

"That since the decision of said last named suit, the said Joseph J. Kittel has departed this life, and your petitioner was, by his last will and testament, appointed his executrix, and was made his sole devisee and legatee.

"That your petitioner has been informed and believes that there have been patented to the State of Florida,

by the United States, since the making by the Trustees of the Internal Improvement Fund of the two deeds hereinbefore mentioned, and described as 13,909 A and 13,909 B, about 37,500 acres of the lands embraced in said certificate 13,909, in addition to those embraced in the deeds aforesaid, and which lands are not included in the quitclaim deed executed by the said Joseph J. Kittel to the State of Florida, as hereinbefore set out, and list of which lands is hereto attached and made a part of this petition.

"Your petitioner represents unto your Honorable Body, upon the facts hereinbefore set forth, that she is entitled to a deed from the Trustees of the Internal Improvement Fund for the lands embraced and described in said list, and respectfully prays that your Honorable Body will execute and deliver to her, as the sole devisee of the said Joseph J. Kittel, a deed in due form, conveying to her the legal title to said lands, the equitable title thereof being vested in her, as hereinbefore set forth, and as declared in the opinion of the United States Circuit Court of Appeals in said case of Augusta, Tallahassee and Gulf Railroad Company vs. Kittel.

"And your petitioner will ever pray.

"MATHILDE G. KITTEL,

"as Executrix, etc., by

"FRED T. MYERS,

"her Attorney."

"Aug. 4th, 1904."

# LIST OF LANDS TO GO IN DEED TO J. J. KITTEL.

## JEFFERSON COUNTY.

|                                                                                    | Sec. | T. | R. | Acres.   |
|------------------------------------------------------------------------------------|------|----|----|----------|
| SE $\frac{1}{4}$ of SE $\frac{1}{4}$ .....                                         | 8    | 1N | 5E | 40.38    |
| S $\frac{1}{4}$ of NW $\frac{1}{4}$ .....                                          | 6    | 1N | 6E | 80.50    |
| N $\frac{1}{2}$ of NE $\frac{1}{4}$ & N $\frac{1}{2}$ of NW $\frac{1}{4}$ .....    | 12   | 4S | 3E | 160.30   |
| Lots 1, 2, 3, 4, 5 and 6.....                                                      | 24   | 4S | 3E | 517.50   |
| N $\frac{1}{2}$ of SE $\frac{1}{4}$ and SE $\frac{1}{4}$ of SE $\frac{1}{4}$ ..... | 12   | 2S | 4E | 120.24   |
| W $\frac{1}{2}$ of NE and W $\frac{1}{2}$ .....                                    | 6    | 4S | 4E | 401.00   |
|                                                                                    |      |    |    | <hr/>    |
|                                                                                    |      |    |    | 1,319.92 |

## MADISON COUNTY.

|                                                                                                                                                                  | Sec. | T. | R. | Acres.         |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|----|----|----------------|
| NE $\frac{1}{4}$ of SW $\frac{1}{4}$ .....                                                                                                                       | 2    | 1N | 6E | 40.28          |
| E $\frac{1}{2}$ of NW $\frac{1}{4}$ .....                                                                                                                        | 24   | 1N | 7E | 80.03          |
| NE $\frac{1}{4}$ of NE $\frac{1}{4}$ , W $\frac{1}{2}$ of NE $\frac{1}{4}$ , W $\frac{1}{2}$<br>of SW $\frac{1}{4}$ & NE $\frac{1}{4}$ of NW $\frac{1}{4}$ ..... | 2    | 2N | 7E | 240.76         |
| S $\frac{1}{2}$ of NE $\frac{1}{4}$ .....                                                                                                                        | 4    | 2N | 7E | 80.22          |
| N $\frac{1}{2}$ of NE $\frac{1}{4}$ & SW $\frac{1}{4}$ of NE $\frac{1}{4}$ .....                                                                                 | 8    | 2N | 7E | 120.51         |
| NE $\frac{1}{4}$ .....                                                                                                                                           | 10   | 2N | 7E | 159.94         |
| W $\frac{1}{2}$ of NE $\frac{1}{4}$ & W $\frac{1}{2}$ of NW $\frac{1}{4}$ .....                                                                                  | 22   | 2N | 7E | 159.81         |
| SE $\frac{1}{4}$ of SE $\frac{1}{4}$ .....                                                                                                                       | 27   | 3N | 7E | 39.92          |
| SW $\frac{1}{4}$ of NW $\frac{1}{4}$ .....                                                                                                                       | 34   | 3N | 7E | 39.98          |
| SE $\frac{1}{4}$ & SE $\frac{1}{4}$ of SW $\frac{1}{4}$ .....                                                                                                    | 36   | 3N | 7E | 200.39         |
| NW $\frac{1}{4}$ of NE $\frac{1}{4}$ .....                                                                                                                       | 4    | 2N | 8E | 40.01          |
| E $\frac{1}{2}$ of SE $\frac{1}{4}$ .....                                                                                                                        | 8    | 2N | 8E | 80.09          |
| NE $\frac{1}{4}$ of NE $\frac{1}{4}$ , W $\frac{1}{2}$ of NE $\frac{1}{4}$ & NE $\frac{1}{4}$<br>of NW $\frac{1}{4}$ .....                                       | 28   | 2N | 8E | 159.94         |
| W $\frac{1}{2}$ of NE $\frac{1}{4}$ .....                                                                                                                        | 30   | 2N | 8E | 80.06          |
| NE $\frac{1}{4}$ of NW $\frac{1}{4}$ .....                                                                                                                       | 2    | 2N | 9E | 40.14          |
| NW $\frac{1}{4}$ of NE $\frac{1}{4}$ .....                                                                                                                       | 30   | 1S | 7E | 39.84          |
| SE $\frac{1}{4}$ of NE $\frac{1}{4}$ & W $\frac{1}{2}$ of NE $\frac{1}{4}$ .....                                                                                 | 32   | 1S | 7E | 119.48         |
| SE $\frac{1}{4}$ of SE $\frac{1}{4}$ .....                                                                                                                       | 1    | 2S | 7E | 40.13          |
| NE $\frac{1}{4}$ of SE $\frac{1}{4}$ .....                                                                                                                       | 4    | 2S | 7E | 40.25          |
| NW $\frac{1}{4}$ of NE $\frac{1}{4}$ .....                                                                                                                       | 32   | 1S | 8E | 39.94          |
| W $\frac{1}{2}$ of NW $\frac{1}{4}$ & NW $\frac{1}{4}$ of SW $\frac{1}{4}$ .....                                                                                 | 22   | 1S | 9E | 120.19         |
| E $\frac{1}{2}$ of NE $\frac{1}{4}$ , SW $\frac{1}{4}$ of NE $\frac{1}{4}$ , W $\frac{1}{2}$ of<br>SE $\frac{1}{4}$ & SW $\frac{1}{4}$ .....                     | 24   | 1S | 9E | 360.28         |
| N $\frac{1}{2}$ .....                                                                                                                                            | 26   | 1S | 9E | 319.12         |
| SW $\frac{1}{4}$ of NE $\frac{1}{4}$ and W $\frac{1}{2}$ .....                                                                                                   | 32   | 1S | 9E | 358.03         |
|                                                                                                                                                                  |      |    |    | <hr/> 2,999.34 |

## HAMILTON COUNTY.

|                                                                                  | Sec. | T. | R.  | Acres. |
|----------------------------------------------------------------------------------|------|----|-----|--------|
| N $\frac{1}{2}$ of NE $\frac{1}{4}$ .....                                        | 4    | 2N | 12E | 79.88  |
| SE $\frac{1}{4}$ of NE $\frac{1}{4}$ .....                                       | 12   | 2N | 13E | 35.81  |
| NW $\frac{1}{4}$ of SW $\frac{1}{4}$ .....                                       | 7    | 2N | 14E | 39.96  |
| SW $\frac{1}{4}$ of SE $\frac{1}{4}$ .....                                       | 10   | 2N | 14E | 40.00  |
| SW $\frac{1}{4}$ of SW $\frac{1}{4}$ .....                                       | 12   | 2N | 14S | 40.89  |
| NW $\frac{1}{4}$ of NE $\frac{1}{4}$ & NE $\frac{1}{4}$ of NW $\frac{1}{4}$ .... | 14   | 2N | 14S | 79.81  |
| S $\frac{1}{2}$ of SW $\frac{1}{4}$ .....                                        | 28   | 2N | 14S | 80.00  |



|                                            | Sec. | T. | R.  | Acres. |
|--------------------------------------------|------|----|-----|--------|
| SW $\frac{1}{4}$ of SE $\frac{1}{4}$ ..... | 34   | 1N | 15E | 40.00  |
| Lot No. 5.....                             | 18   | 2N | 15E | 78.05  |
| Lot No. 2 .....                            | 19   | 2N | 15E | 77.90  |
| NE $\frac{1}{4}$ of SE $\frac{1}{4}$ ..... | 27   | 2N | 15E | 40.00  |
| NE $\frac{1}{4}$ of SE $\frac{1}{4}$ ..... | 18   | 1N | 16E | 41.02  |
| N $\frac{1}{2}$ of NW $\frac{1}{4}$ .....  | 28   | 1N | 16E | 80.30  |
| W $\frac{1}{2}$ of SE $\frac{1}{4}$ .....  | 30   | 2N | 16E | 83.52  |
| SW $\frac{1}{4}$ of SE $\frac{1}{4}$ ..... | 2    | 1S | 15E | 39.94  |
| NE $\frac{1}{4}$ of NE $\frac{1}{4}$ ..... | 8    | 1S | 15E | 39.76  |
| SW $\frac{1}{4}$ of SW $\frac{1}{4}$ ..... | 14   | 1S | 15E | 40.06  |
|                                            |      |    |     | <hr/>  |
|                                            |      |    |     | 956.90 |

## TAYLOR COUNTY.

|                                                                                                                                                                                  | Sec. | T. | R. | Acres.   |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|----|----|----------|
| Lots 1, 5 and 6.....                                                                                                                                                             | 25   | 4S | 3E | 315.30   |
| All unsurveyed part .....                                                                                                                                                        | 1    | 5S | 3E | 200.00   |
| E $\frac{1}{2}$ of SE $\frac{1}{4}$ .....                                                                                                                                        | 26   | 4S | 4E | 80.52    |
| S $\frac{1}{2}$ .....                                                                                                                                                            | 9    | 5S | 4E | 320.00   |
| E $\frac{1}{2}$ .....                                                                                                                                                            | 10   | 5S | 4E | 320.20   |
| S $\frac{1}{2}$ .....                                                                                                                                                            | 11   | 5S | 4E | 321.52   |
| E $\frac{1}{2}$ of NW $\frac{1}{4}$ & NW $\frac{1}{4}$ of NW $\frac{1}{4}$ .....                                                                                                 | 34   | 2S | 5E | 123.98   |
| SE $\frac{1}{4}$ of NW $\frac{1}{4}$ .....                                                                                                                                       | 1    | 3S | 5E | 40.01    |
| NW $\frac{1}{4}$ of NW $\frac{1}{4}$ .....                                                                                                                                       | 12   | 3S | 5E | 40.13    |
| All unsurveyed .....                                                                                                                                                             | —    | 6S | 5E | 2,500.00 |
| SW $\frac{1}{4}$ of NE $\frac{1}{4}$ & W $\frac{1}{2}$ of SE $\frac{1}{4}$ .....                                                                                                 | 6    | 6S | 6E | 119.85   |
| NE $\frac{1}{4}$ of NE $\frac{1}{4}$ .....                                                                                                                                       | 7    | 6S | 6E | 40.00    |
| NE $\frac{1}{4}$ of SE $\frac{1}{4}$ .....                                                                                                                                       | 8    | 6S | 6E | 39.97    |
| E $\frac{1}{2}$ .....                                                                                                                                                            | 24   | 6S | 6E | 320.42   |
| W $\frac{1}{2}$ of NE $\frac{1}{4}$ , W $\frac{1}{2}$ of NW $\frac{1}{4}$ , NE $\frac{1}{4}$<br>of NW $\frac{1}{4}$ , SW $\frac{1}{4}$ of SE $\frac{1}{4}$ & SW $\frac{1}{4}$ .. | 5    | 4S | 7E | 397.80   |
| All .....                                                                                                                                                                        | 6    | 4S | 7E | 636.50   |
| E $\frac{1}{2}$ of SE $\frac{1}{4}$ .....                                                                                                                                        | 18   | 6S | 7E | 80.25    |
| S $\frac{1}{2}$ of SE $\frac{1}{4}$ .....                                                                                                                                        | 22   | 6S | 7E | 79.62    |
|                                                                                                                                                                                  |      |    |    | <hr/>    |
|                                                                                                                                                                                  |      |    |    | 5,976.07 |

## LAFAYETTE COUNTY.

|                                                                                                                       | Sec. | T.  | R.  | Acres.         |
|-----------------------------------------------------------------------------------------------------------------------|------|-----|-----|----------------|
| W $\frac{1}{2}$ of NW $\frac{1}{4}$ , N $\frac{1}{2}$ of SE $\frac{1}{4}$ & N $\frac{1}{2}$ of SW $\frac{1}{4}$ ..... | 32   | 7S  | 10E | 241.80         |
| E $\frac{1}{2}$ of NE $\frac{1}{4}$ .....                                                                             | 18   | 5S  | 11E | 80.00          |
| SW $\frac{1}{4}$ of SE $\frac{1}{4}$ & SE $\frac{1}{4}$ of SW $\frac{1}{4}$ .....                                     | 21   | 5S  | 11E | 80.10          |
| SW $\frac{1}{4}$ of NW $\frac{1}{4}$ .....                                                                            | 14   | 6S  | 11E | 39.90          |
| SE $\frac{1}{4}$ of NE $\frac{1}{4}$ & SW $\frac{1}{4}$ of SW $\frac{1}{4}$ .....                                     | 15   | 6S  | 11E | 80.20          |
| N $\frac{1}{2}$ of SE $\frac{1}{4}$ & N $\frac{1}{2}$ of SW $\frac{1}{4}$ .....                                       | 27   | 6S  | 11E | 159.80         |
| W $\frac{1}{2}$ of SW $\frac{1}{4}$ .....                                                                             | 35   | 9S  | 12E | 79.83          |
| NW $\frac{1}{4}$ of SW $\frac{1}{4}$ .....                                                                            | 17   | 12S | 13E | 40.00          |
| W $\frac{1}{2}$ of NW $\frac{1}{4}$ .....                                                                             | 29   | 12S | 13E | 80.00          |
| NE $\frac{1}{4}$ of NE $\frac{1}{4}$ .....                                                                            | 10   | 7S  | 14E | 39.72          |
| SW $\frac{1}{4}$ of SE $\frac{1}{4}$ .....                                                                            | 14   | 7S  | 14E | 40.00          |
| SE $\frac{1}{4}$ of NW $\frac{1}{4}$ & NE $\frac{1}{4}$ of SW $\frac{1}{4}$ .....                                     | 22   | 7S  | 14E | 80.14          |
| Lot No. 1 .....                                                                                                       | 23   | 7S  | 14E | 61.14          |
| Lot No. 3 .....                                                                                                       | 34   | 7S  | 14E | 64.96          |
| Lot No. 1 .....                                                                                                       | 5    | 8S  | 14E | 77.00          |
| E $\frac{1}{2}$ of SE $\frac{1}{4}$ .....                                                                             | 18   | 8S  | 14E | 80.35          |
| SW $\frac{1}{4}$ of NW $\frac{1}{4}$ .....                                                                            | 30   | 8S  | 14E | 40.00          |
| E $\frac{1}{2}$ of NE $\frac{1}{4}$ & Lot No. 1 .....                                                                 | 31   | 8S  | 14E | 140.52         |
| Lot No. 2 .....                                                                                                       | 32   | 8S  | 14E | 47.88          |
| SW $\frac{1}{4}$ of NW $\frac{1}{4}$ .....                                                                            | 6    | 11S | 14E | 39.75          |
|                                                                                                                       |      |     |     | <hr/> 1,593.09 |

## SUWANNEE COUNTY.

|                                            | Sec. | T. | R.  | Acres.       |
|--------------------------------------------|------|----|-----|--------------|
| S $\frac{1}{2}$ of SW $\frac{1}{4}$ .....  | 2    | 2S | 14E | 80.44        |
| SE $\frac{1}{4}$ of NE $\frac{1}{4}$ ..... | 24   | 2S | 14S | 40.05        |
| NE $\frac{1}{4}$ of SE $\frac{1}{4}$ ..... | 2    | 3S | 14E | 40.00        |
| SE $\frac{1}{4}$ of SE $\frac{1}{4}$ ..... | 4    | 3S | 14E | 39.98        |
| SE $\frac{1}{4}$ of SE $\frac{1}{4}$ ..... | 10   | 3S | 14E | 40.06        |
| SE $\frac{1}{4}$ of SE $\frac{1}{4}$ ..... | 14   | 3S | 14E | 39.94        |
| NW $\frac{1}{4}$ of NW $\frac{1}{4}$ ..... | 24   | 3S | 14E | 39.88        |
| SW $\frac{1}{4}$ of SW $\frac{1}{4}$ ..... | 28   | 3S | 14E | 40.02        |
| W $\frac{1}{2}$ of SW $\frac{1}{4}$ .....  | 1    | 7S | 14E | 80.00        |
| SE $\frac{1}{4}$ of SW $\frac{1}{4}$ ..... | 6    | 3S | 15E | 40.00        |
|                                            |      |    |     | <hr/> 480.37 |

## ALACHUA COUNTY.

|                                                                                                                     | Sec. | T. | R.  | Acres.       |
|---------------------------------------------------------------------------------------------------------------------|------|----|-----|--------------|
| $E\frac{1}{2}$ of $NE\frac{1}{4}$ , $E\frac{1}{2}$ of $SE\frac{1}{4}$ & $SW\frac{1}{4}$<br>of $SE\frac{1}{4}$ ..... | 1    | 7S | 14E | 200.00       |
| $NE\frac{1}{4}$ of $NE\frac{1}{4}$ .....                                                                            | 29   | 8S | 14E | 40.00        |
| $NW\frac{1}{4}$ of $NW\frac{1}{4}$ .....                                                                            | 5    | 9S | 14E | 39.90        |
| $W\frac{1}{2}$ of $SE\frac{1}{4}$ & $NE\frac{1}{4}$ of $SW\frac{1}{4}$ .....                                        | 19   | 9S | 14E | 120.00       |
| $S\frac{1}{2}$ of $NE\frac{1}{4}$ & $SW\frac{1}{4}$ of $SE\frac{1}{4}$ .....                                        | 31   | 9S | 14E | 121.47       |
|                                                                                                                     |      |    |     | <hr/> 521.37 |

## LEVY COUNTY.

|                                                                               | Sec. | T.  | R.  | Acres.       |
|-------------------------------------------------------------------------------|------|-----|-----|--------------|
| $SE\frac{1}{4}$ of $NE\frac{1}{4}$ & $NE\frac{1}{4}$ of $SE\frac{1}{4}$ ..... | 18   | 13S | 13E | 80.05        |
| $SW\frac{1}{4}$ of $SE\frac{1}{4}$ .....                                      | 28   | 13S | 13E | 40.12        |
| $SE\frac{1}{4}$ of $SW\frac{1}{4}$ .....                                      | 2    | 12S | 14E | 39.38        |
| $W\frac{1}{2}$ of $NE\frac{1}{4}$ & $NW\frac{1}{4}$ of $SE\frac{1}{4}$ .....  | 18   | 12S | 15E | 120.15       |
| $E\frac{1}{2}$ of $NE\frac{1}{4}$ & $SE\frac{1}{4}$ .....                     | 14   | 15S | 16E | 240.60       |
| $N\frac{1}{2}$ .....                                                          | 24   | 15S | 16E | 320.60       |
| $N\frac{1}{2}$ of $NE\frac{1}{4}$ & $SE\frac{1}{4}$ of $NE\frac{1}{4}$ .....  | 8    | 17S | 17E | 120.32       |
|                                                                               |      |     |     | <hr/> 961.22 |

## WASHINGTON COUNTY.

|                      | Sec. | T. | R.  | Acres.         |
|----------------------|------|----|-----|----------------|
| All fractional ..... | 7    | 3S | 15W | 435.51         |
| All fractional ..... | 18   | 3S | 15W | 600.29         |
| $W\frac{1}{2}$ ..... | 19   | 3S | 15W | 320.00         |
| All .....            | 30   | 3S | 15W | 639.44         |
| All fractional ..... | 1    | 3S | 16W | 105.53         |
| All fractional ..... | 12   | 3S | 16W | 554.00         |
| All .....            | 13   | 3S | 16W | 639.52         |
| All fractional ..... | 14   | 3S | 16W | 377.90         |
| All fractional ..... | 15   | 3S | 16W | 335.98         |
|                      |      |    |     | <hr/> 4,008.17 |

## CALHOUN COUNTY.

|                                                                                                                                                                                                                                                                     | Sec. | T. | R.  | Acres.          |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|----|-----|-----------------|
| Cut Off Island, or unsurveyed                                                                                                                                                                                                                                       |      |    |     |                 |
| part of .....                                                                                                                                                                                                                                                       | —    | 4S | 9W  | 2,975.00        |
| Cut Off Island, or unsurveyed                                                                                                                                                                                                                                       |      |    |     |                 |
| part of .....                                                                                                                                                                                                                                                       | —    | 5S | 9W  | 6,784.00        |
| NW $\frac{1}{4}$ .....                                                                                                                                                                                                                                              | 10   | 7S | 9W  | 159.60          |
| E $\frac{1}{2}$ , N $\frac{1}{2}$ of NW $\frac{1}{4}$ , SE $\frac{1}{4}$ of NW $\frac{1}{4}$ &<br>E $\frac{1}{2}$ of SW $\frac{1}{4}$ .....                                                                                                                         | 1    | 7S | 11W | 520.45          |
| SW $\frac{1}{4}$ .....                                                                                                                                                                                                                                              | 2    | 7S | 11W | 159.94          |
| All .....                                                                                                                                                                                                                                                           | 3    | 7S | 11W | 641.28          |
| N $\frac{1}{2}$ , SE $\frac{1}{4}$ , N $\frac{1}{2}$ of SW $\frac{1}{4}$ & SE $\frac{1}{4}$ of<br>SW $\frac{1}{4}$ .....                                                                                                                                            | 4    | 7S | 11W | 601.87          |
| Lot No. 1 .....                                                                                                                                                                                                                                                     | 5    | 7S | 11W | 40.00           |
| Lots 1, 2, 8 and 15 .....                                                                                                                                                                                                                                           | 9    | 7S | 11W | 160.32          |
| N $\frac{1}{2}$ , SE $\frac{1}{4}$ , N $\frac{1}{2}$ of SW $\frac{1}{4}$ & SE $\frac{1}{4}$ of<br>SW $\frac{1}{4}$ .....                                                                                                                                            | 10   | 7S | 11W | 602.24          |
| All .....                                                                                                                                                                                                                                                           | 11   | 7S | 11W | 640.88          |
| E $\frac{1}{2}$ , E $\frac{1}{2}$ of NW $\frac{1}{4}$ , NW $\frac{1}{4}$ of NW $\frac{1}{4}$ &<br>SW $\frac{1}{4}$ .....                                                                                                                                            | 12   | 7S | 11W | 601.42          |
| All .....                                                                                                                                                                                                                                                           | 11   | 7S | 11W | 640.24          |
| All .....                                                                                                                                                                                                                                                           | 14   | 7S | 11W | 641.60          |
| N $\frac{1}{2}$ of NE $\frac{1}{4}$ , SE $\frac{1}{4}$ of NE $\frac{1}{4}$ , NW $\frac{1}{4}$ of<br>NW $\frac{1}{4}$ , S $\frac{1}{2}$ of NW $\frac{1}{4}$ , NW $\frac{1}{4}$ of<br>SE $\frac{1}{4}$ , S $\frac{1}{2}$ of SE $\frac{1}{4}$ & SW $\frac{1}{4}$ ..... | 15   | 7S | 11W | 521.96          |
| NW $\frac{1}{4}$ of NE $\frac{1}{4}$ & SE $\frac{1}{4}$ of NE $\frac{1}{4}$ .....                                                                                                                                                                                   | 23   | 7S | 11W | 80.26           |
| N $\frac{1}{2}$ , SE $\frac{1}{4}$ , N $\frac{1}{2}$ of SW $\frac{1}{4}$ & SE $\frac{1}{4}$ of<br>SW $\frac{1}{4}$ .....                                                                                                                                            | 24   | 7S | 11W | 600.68          |
| E $\frac{1}{2}$ .....                                                                                                                                                                                                                                               | 25   | 7S | 11W | 321.40          |
| E $\frac{1}{2}$ , E $\frac{1}{2}$ of NW $\frac{1}{4}$ & E $\frac{1}{2}$ of SW $\frac{1}{4}$ .....                                                                                                                                                                   | 25   | 8S | 11W | 481.20          |
| E $\frac{1}{2}$ , E $\frac{1}{2}$ of NW $\frac{1}{4}$ & E $\frac{1}{2}$ of SW $\frac{1}{4}$ .....                                                                                                                                                                   | 36   | 8S | 11W | 481.26          |
| Lots 1, 2, 3, 6, 7, 8, 11 & 14 .....                                                                                                                                                                                                                                | 1    | 9S | 11W | 320.00          |
| E $\frac{1}{2}$ & SW $\frac{1}{4}$ of NW $\frac{1}{4}$ .....                                                                                                                                                                                                        | 12   | 9S | 11W | 361.30          |
| Lot No. 4 (or SE $\frac{1}{4}$ of SE $\frac{1}{4}$ ) .....                                                                                                                                                                                                          | 14   | 9S | 11W | 40.00           |
| SW $\frac{1}{4}$ .....                                                                                                                                                                                                                                              | 13   | 9S | 11W | 160.56          |
| Lot No. 1 & N $\frac{1}{2}$ of Lot No. 2 .....                                                                                                                                                                                                                      | 23   | 9S | 11W | 91.00           |
| Lot No. 4 .....                                                                                                                                                                                                                                                     | 24   | 9S | 11W | 55.73           |
|                                                                                                                                                                                                                                                                     |      |    |     | <hr/> 18,684.19 |

## TOTAL.

|                         |           |
|-------------------------|-----------|
| JEFFERSON COUNTY .....  | 1,319.92  |
| MADISON COUNTY .....    | 2,993.34  |
| HAMILTON COUNTY .....   | 956.90    |
| TAYLOR COUNTY .....     | 5,976.07  |
| LAFAYETTE COUNTY .....  | 1,593.09  |
| SUWANNEE COUNTY .....   | 480.37    |
| ALACHUA COUNTY .....    | 521.37    |
| LEVY COUNTY .....       | 961.22    |
| WASHINGTON COUNTY ..... | 4,008.17  |
| CALHOUN COUNTY .....    | 18,684.19 |

37,500.64 acres.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
W. M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., August, 6, 1904.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.  
A. C. Croom, Comptroller.  
W. V. Knott, Treasurer.  
W. H. Ellis, Attorney-General.  
B. E. McLin, Commissioner of Agriculture.

Hon. T. L. Clarke appeared before the Trustees and asked further consideration of the application heretofore made by Col. John A. Henderson, for the payment of certain bonds issued by the Florida Railroad Co., and called attention to a copy of an application made to the United States Court at Pensacola in the matter of the payment of such bonds and a copy of the order of the court which were filed with the Trustees on June 9th, 1904. After a full and careful consideration the Trustees declined to re-consider their former decision that the payment of the Bonds be denied.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
W. M. McINTOSH, JR.,  
Secretary.



Tallahassee, Fla., August 10th, 1904.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

W. V. Knott, Treasurer.

W. H. Ellis, Attorney-General.

B. E. McLin, Commissioner of Agriculture.

The following accounts were presented and ordered paid:

Keuffel and Esser Co., for drafting materials for Salesman's office, twenty-five \$3-100 dollars.

W. H. Ellis, Attorney-General, for traveling expenses *in re* Florida Coast Line Canal and Transportation Co., vs. Trustees, two \$5-100 dollars.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.

W. M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., August 15, 1904.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

W. V. Knott, Treasurer.

W. H. Ellis, Attorney-General.

B. E. McLin, Commissioner of Agriculture.

The following communication was presented and ordered spread upon the Minutes:

"Agricultural Department, State of Florida.

Commissioner's Office.

Tallahassee, August 13th, 1904.

"Hon. Trustees Internal Improvement Fund of Florida.

"Gentlemen:—In reply to your order bearing date August 5, 1904, wherein you direct the Commissioner of Agriculture to examine a list of lands attached to the petition of Mathilde G. Kittel, executrix, and ascertain from the records of the office of Commissioner of Agriculture whether the said lands in attached list are, in the application of said Kittel, through her attorney, Hon.

Fred T. Myers, are embraced in Cert. 13,909 from the Trustees of the I. I. Fund, to the Augusta, Tallahassee and Gulf R. R. Co., and whether said lands have been patented to the State of Florida by the United States, and whether or not any of said lands are embraced in the quitclaim deed of Joseph J. Kittel to the State of Florida, dated October 29, 1895, and that the result of said finding be reported to said Trustees; I find on examination that said lands as shown from the above referred to list are all included in Cert. No. 13,909, and that same have been patented to the State of Florida, and none of the lands included in said list were in the quitclaim deed executed by Joseph J. Kittel to the State of Florida on October 29, 1895.

In witness whereof, I hereunto affix my name officially.

B. E. McLIN,

Commissioner of Agriculture."

Hon. Fred T. Myers appeared before the Trustees and made an argument in relation to the conveyance of land to his client, Mrs. M. G. Kittel, and at his request further time was granted in which to prepare additional argument in the case.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.

W. M. McINTOSH,

Secretary.

Tallahassee, Fla., August 20, 1904.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

W. V. Knott, Treasurer.

B. E. McLin, Commissioner of Agriculture.

Mr. F. B. Bell appeared before the Trustees and reported that his authority as agent of the Trustees had been brought in question by parties charged with trespass in Calhoun County: Whereupon it was considered by the Trustees that a formal authority should be granted him, the said F. B. Bell. Therefore it was

*Resolved*, That the following instrument of authority be granted him, which was signed by the Trustees and delivered to Mr. F. B. Bell on this the 20th day of August, A. D. 1904.

"Executive Department."  
State of Florida.

"Whereas, Mr. F. B. Bell, of Calhoun County, was duly authorized and appointed agent of the Trustees of the Internal Improvement Fund, and the Governor of Florida on or about the 15th day of September, 1902, to protect the State's lands, timber and properties of every kind and character whatsoever within the territory of Calhoun County, Florida, from trespass, removal, or otherwise by any person or persons not authorized by him or the State or Trustees authority under and by virtue of certain orders of the Trustees of the Internal Improvement Fund, and the Governor, as appear by said order and orders and directions issued to the said Bell since that date: and

Whereas, the said Mr. F. B. Bell, agent as aforesaid, represents to the Trustees and the Governor, that his authority in the premises has been questioned; and it appearing to the Governor that it is his duty to represent the lands, timbers, and properties situate within and upon the unsurveyed territory covered by waters of lakes and rivers that have been regularly meandered, such lands, waterways, timber and properties belonging to the State in its sovereignty over which territory the General Land Department of the United States Government has no jurisdiction, neither does it exercise or control jurisdiction of the timber growing thereon, it being held by the land department that such lands and timber are owned by the State in its sovereignty.

And it appearing to the Trustees aforesaid, to be their duty to protect and cause to be protected from trespass, removal of timbers, depredations and waste, the lands, timber and properties belonging to the Internal Improvement Fund of Florida, accruing to the State under the Swamp Land grant, and other properties of the Fund, and

Therefore, The Trustees aforesaid and the Governor of the State of Florida join in this additional authority; and, reposing special trust and confidence in the fidelity

and prudence of the said F. B. Bell, do hereby in the name and by the authority of the State of Florida, represented by the Governor under and by virtue of the authority vested in him by the Constitution and laws of the State, in such cases made and provided, and the said Trustees of the Internal Improvement Fund of Florida, under and by virtue of authority vested in them by the laws of said State, do hereby confirm the lawful acts of the said Bell, as agent, and do, by these presents, constitute and appoint the said F. B. Bell, as agent of the State of Florida, and as agent of the Trustees of the Internal Improvement Fund of Florida, to protect the lands, timbers and properties of the State of Florida, and of the Trustees of the Internal Improvement Fund of Florida, situate within the County of Calhoun and specially, by timbers situate upon the unsurveyed territories and waterways in Township 3 and 4, South Range 9 West and Township 3 South Range 10 West, being parties of the "Chipola or Dead Lakes and Cut Off" as appears by the official maps thereof. At and during the pleasure of the Trustees and the Governor of the State of Florida, with full power and authority to protect the lands, timbers and properties aforesaid from trespass, depredations or the removal of timbers or properties of value therefrom, and to receive the compensation for such services as the Trustees of the Internal Improvement Fund heretofore fixed or may from time to time fix determine upon and allow.

In testimony whereof the Governor has hereunto set his hand and caused to be affixed the Great Seal of the State at Tallahassee, the Capital.

(Signed) W. S. JENNINGS, Governor.

And the Trustees of the Internal Improvement Fund of Florida have set their hands and caused the seal of the Fund to be affixed at Tallahassee, the Capital, on this 20th day of August, A. D. 1904.

(Signed) W. S. JENNINGS, Governor.

A. C. CROOM, Comptroller.

W. V. KNOTT, Treasurer.

B. E. McLINN, Commissioner of Agriculture.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
W. M. McINTOSH, JR.,  
Secretary.

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Tallahassee, Fla., August 26, 1904.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.  
A. C. Croom, Comptroller.  
W. V. Knott, Treasurer.  
B. E. McLin, Commissioner of Agriculture.

A bill of Col. R. W. Williams, for \$500.00 on account of services in suits pending against the Trustees, viz:

Louisville & Nashville, R. R. Co. vs. Trustees:

East Coast Railway Co. vs. Trustees:

Florida Coast Line Canal and Transportation Co. vs. Trustees.

U. S. vs. F. A. Hendry et al. (Hicpochee Canal Litigation) was presented and ordered paid.

An account of I. B. Hilson, for printing, for \$283.50 was presented and ordered paid.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
W. M. McINTOSH, JR.,  
Secretary.

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Tallahassee, Fla., September 3, 1904.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.  
A. C. Croom, Comptroller.  
W. V. Knott, Treasurer.  
W. H. Ellis, Attorney-General.  
B. E. McLin, Commissioner of Agriculture.

The following accounts were presented and ordered paid:

Southern Express Co., for express charges August, 1904, two 10-100 dollars.

John McDougall, P. M., for stamped envelopes for Salesman's Office for August, 1904, fifty-three dollars.



The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
W. M. McINTOSH, JR.,  
Secretary.

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Tallahassee, Fla., September 17, 1904.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.  
A. C. Croom, Comptroller.  
W. V. Knott, Treasurer.  
W. H. Ellis, Attorney-General.  
B. E. McLin, Commissioner of Agriculture.

The account of I. B. Hilson, for Vol. 3, of the proceedings of the Trustees, amounting to two hundred and ninety-four 25-100 dollars, was presented, and ordered paid:

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
W. M. McINTOSH, JR.,  
Secretary.

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Tallahassee, Fla., October 4, 1904.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.  
A. C. Croom, Comptroller.  
W. V. Knott, Treasurer.  
W. H. Ellis, Attorney-General.  
B. E. McLin, Commissioner of Agriculture.

It appearing to the Trustees that John L. Neeley, was employed by F. B. Bell as his attorney, to conduct certain litigation in connection with the recovery of stumpage for timber cut from swamp land, and that under the agreement with Mr. Bell, all sums advanced for expenses in such cases, are to be deducted from the proceeds of timber so cut, under the agreement, it was ordered, that the sum of fifty dollars, be advanced to Mr. Neeley as attorney for Mr. Bell.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
W. M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., October 6, 1904.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.  
A. C. Croom, Comptroller.  
W. H. Ellis, Attorney-General.  
W. V. Knott, Treasurer.

The account of D. U. Fletcher, for professional services rendered to the Trustees, amounting to three hundred and fifty dollars, was presented and ordered paid.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
W. M. McINTOSH, JR.,  
Secretary.

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Tallahassee, Fla., October 7, 1904.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.  
A. C. Croom, Comptroller.  
W. V. Knott, Treasurer.  
W. H. Ellis, Attorney-General.

The following resolution was adopted:

*Resolved*, That the Attorney General be and he is hereby requested, to prepare a clause to be inserted in all deeds hereafter executed by the Trustees of the Internal Improvement Fund of the State of Florida, reserving the right to said Trustees at any time to grant permission for drainage through said land, and for that purpose to cut such ditches or drains in and upon said lands as may be necessary.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
W. M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., October 19, 1904.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.  
 A. C. Croom, Comptroller.  
 W. V. Knott, Treasurer.  
 W. H. Ellis, Attorney-General.  
 B. E. McLin, Commissioner of Agriculture.

Upon full investigation of the merits of the following application to purchase lands upon which they have claims, Hon. B. E. McLin, Commissioner of Agriculture, was directed to sell Mr. C. W. Hagerman, 1,352.44 acres of lands in Tps. 6 and 7 N. R. 11 W. and T. 7 N R. 13 W. at \$1.25 per acre it being shown that he secured the proper swamp affidavits at his own expense, upon the request of the former Commissioner of Agriculture, in 1899, who promised through letters to said Hagerman that he would sell said lands to him, when patented, at State prices and which said lands were not patented until November 13, 1902.

The Commissioner was also directed to sell to Raleigh Lancaster the S $\frac{1}{2}$  of lot 5 of Sec. 36, T. 9 S. R. 13 E., 40.00 acres, I. I. Lands proper, at the reduced price of \$1.25 per acre, as it was shown by reliable disinterested parties that said land was in the storm belt and the timber was destroyed by storm and fire and the land was not worth any more.

And to John S. Flanagan 240.00 acres in Sec. 33, T. 26, R. 20 E. at \$1.25 per acre, which has recently been patented to the State, which lands were erroneously assessed in 1898 and subsequent years, as the assessor did not understand from the report sent him by former Commissioners that they should not be assessed and the said Flanagan purchased a tax deed for same and sold them to a turpentine man, who has boxed same and is now working same, and they will soon be worthless. The said Flanagan desiring to perfect his title, so as not to appear as a trespasser, and has offered said amount for them.

And to Samuel H. Williams, the NW $\frac{1}{4}$  of NW $\frac{1}{4}$  Section 22, T. 21 S. R. 23. E. 39.89 acres, at \$2.50 per acre, which was formerly embraced in Homestead Entry of John Mobley of May 20th, 1854, which entry was amended by

the Commissioner of the General Land Office leaving said land out.

And the said Williams having secured a deed for same through said Mobley believing he had title to same, now desires to rectify it by purchase of the State's interest, as shown by records and statements of H. S. Budd, his agent.

And to J. P. Wall, Lot 16 of Sec. 11, T. 9 S. R. 24 E. 40.00 acres, at \$1.25 per acre, which was recently patented to the State, he having applied for same long since and was promised that he would be allowed to purchase when patented.

And to William Bodiford, Lot 1 of Sec. 2, Tp. 43 S. R. 20 E. 63.25 acres, recently patented and not being in any reservation, at \$1.25 per acre, as he has valuable improvements on same, and wants it for a home.

And to L. R. Wells, the SE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 5 T. 26, S. R. 20 E. 40.00 acres, recently patented to the State, which was applied for by said Wells who is living on same several years ago, and is in no reservation; sold at \$1.25 per acre.

And to F. A. Lewter, the NE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Sec. 30 T. 22, S. R. 32 E. 40.00 acres, at \$1.25 per acre, recently patented to the State and in no reservation, Mr. Lewter having applied for same long since and needs same as part of his home pastures so that his cattle can get to the water.

And to T. B. Cason, the E. of SW $\frac{1}{4}$ , and SW $\frac{1}{4}$  of SW $\frac{1}{4}$  of Sec. 33, Tp. 35 S. R. 29 E. recently patented to the State, 120 acres at \$1.25 per acre, on which he has been living over ten years.

And to Nelson Richard, the NE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Sec. 17 T. 17 S. R. 22, E. 39.79 acres, at \$2.00 per acre which was applied for by said Richard, an old settler who has valuable improvements on same, some time since.

The Secretary will furnish the Commissioner of Agriculture with a copy of the foregoing.

The Trustees then adjourned.

Attest:

W. S. JENNINGS, Governor.

W. M. McINTOSH, JR.,

Secretary.

Tallahassee, Fla., October 20, 1904.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

W. V. Knott, Treasurer.

W. H. Ellis, Attorney-General.

B. E. McLin, Commissioner of Agriculture.

An application was presented by Col. John C. Cooper of Jacksonville, Florida, on behalf of the Atlantic Suwannee River & Gulf Railway Company, praying that the Trustees issue two certificates, one certificate for 160,000 acres, on account of 16 miles of said railroad extending from the terminus of the first 20 miles, and another certificate for 204,000 acres of land on account of the last 20 and 4-10 miles of said Railroad, extending from Wannee on the Suwannee River to Starke in Bradford County, in accordance with and in pursuance of the terms and provisions of an act of the Legislature of Florida of 1893, Chapter 4467 Laws of Florida.

The Trustees upon considering the application and the statement purporting to be a report of H. S. Duval, dated Jacksonville, Fla., April 30, 1903, attached thereto, which alleged report the Trustees find had never been presented to them previously to said presentation of said application; and the Trustees find further, that the former Trustees, upon a similar application had resolved to not grant further or other certificates under the law referred to and other similar acts of the Legislature, which resolution has not been revoked; and that said report by said Engineer was made without directions or instructions from these Trustees, as required; It is therefore

*Resolved*, That the Trustees do not accept the report presented to the Trustees by and on behalf of, nor in reference to the Atlantic Suwannee River & Gulf Railway Company, made by H. S. Duval, dated Jacksonville, Fla., April 30th, 1903, and the same is hereby declined on the following grounds, namely:

(1)—Because the said H. S. Duval was not authorized by the Trustees to make the report as presented.

(2)—Because the said H. S. Duval had not been directed to proceed with said examination, had not applied to the Trustees for, nor obtained plans and specifications from the Trustees, giving route, grade, width, gauge or



weight of rail per yard, or other instructions, in conformity with law, and his duties, as a Representative and Engineer of the Trustees prior to making said examination and report heretofore mentioned.

(3)—Because said report is wholly inadequate and insufficient in that it fails to report upon any fact concerning the construction of the Railroad referred to; and further, the genuineness of the report is not admitted.

(4)—Because the said report is otherwise unsatisfactory and not acceptable to the Trustees.

*Resolved further*, That said application be denied.

Because the Trustees do not recognize that the Legislature had the power to direct the issuance of the certificates referred to in the petitioner's application, by these Trustees.

The Trustees considered other matters pertaining to their duties, and the management of the records and files relating to the Internal Improvement Fund; Whereupon it was

*Resolved*, That upon request for any information concerning the affairs, files, or records, of the Trustees of the Internal Improvement Fund, that said request be referred to the Trustees, for permission or direction relative thereto, prior to the furnishing of any data, copies of records, deeds, plats, or maps, relative to the Internal Improvement Fund, under said request. That when copies of lists or deeds or other records, maps or data, are furnished to an applicant, that a copy thereof be furnished to the Trustees, through the heads of Departments, and that the Secretary of the Trustees furnish a copy of these resolutions to all the employees of the Trustees.

The Commissioner of Agriculture presented a large map of the State, showing in detail by separate colors, indexed, the amount of lands deeded to different Railroad Companies, and in certificates, etc., the map representing a great deal of labor, and being the personal property of Mr. John T. Costa, it was deemed proper that it should belong to the land office, therefore it is ordered that check for \$100.00 issue to J. T. Costa for said map, and a check for \$12.00 to I. B. Hilson, for making a Sectional mounting in leather book binding for said map.

The following accounts were presented, and ordered paid.

I. B. Hilson for printing 70 pages of Index to Vol. 2 published minutes of Trustees for one hundred and five dollars. I. B. Hilson for mounting map and case for same, for Salesman's office, twelve dollars.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
W. M. McINTOSH, JR.,  
Secretary.

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Tallahassee, Fla., October 22, 1904.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.  
A. C. Croom, Comptroller.  
W. V. Knott, Treasurer.  
W. H. Ellis, Attorney-General.  
B. E. McLin, Commissioner of Agriculture.

The application heretofore presented by Col. Fred T. Myers, of Tallahassee, on behalf of Mrs. Mathilda G. Kittel, executrix, claimant under the Augusta Tallahassee & Gulf Railroad Company, for a deed to land covered by certain certificates described in the petition and exhibits heretofore presented to the Trustees, which was argued at length by Col. Myers on or about the 15th day of August, 1904, and again on October 15th, 1904, was again taken up and Messrs. Myers and Straler, attorneys for Mrs. Kittel appeared and discussed the claims of their client and at the request of Col. Straler further time *ie.* until November 8th, 1904, was granted in which to file a brief.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
W. M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., October 25, 1904.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

W. V. Knott, Treasurer.

W. H. Ellis, Attorney-General.

B. E. McLin, Commissioner of Agriculture.

Application was presented by Col. Fred T. Myers, for copy of petition with list of lands attached showing the lands that have been patented to the State embraced in certificate issued to the Augusta, Tallahassee and Gulf Railroad and not conveyed to said Company; which application was granted.

The matter of the compensation of C. B. Gwynn, as Clerk for the Salesman was taken up and it was ordered that the salary of C. B. Gwynn be increased to one hundred and fifty dollars per month from November 1st, 1904.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.

W. M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., October 28, 1904.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

W. V. Knott, State Treasurer.

W. H. Ellis, Attorney-General.

B. E. McLin, Commissioner of Agriculture.

The Commissioner of Agriculture presented the accounts of I. B. Chapin, for tracings of plats in the U. S. Surveyor Generals Office, for use in his office amounting to five dollars, and the accounts were ordered paid.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.

W. M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., November 21, 1904.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

W. V. Knott, State Treasurer.

W. H. Ellis, Attorney-General.

B. E. McLin, Commissioner of Agriculture.

The application of Messrs. Cooper & Cooper under date of October 29th, 1904, for a copy of the minutes embracing the decision of the Trustees upon the petition of the Atlantic, Suwannee River and Gulf Railway Co., also for a copy of the letter of the Trustees, if any, given by the Secretary of the board to Mr. H. S. Duval to examine the road was presented to the Trustees by the Governor, whereupon the Governor was instructed to acknowledge the letter and inclose a copy of the minutes of the Trustees of the Internal Improvement Fund embracing the decision upon the petition above referred to, also a copy of the minutes of the Trustees of the Internal Improvement Fund relative to the designation of Mr. Duval, as Engineer under the application presented to have the Atlantic, Suwannee River and Gulf Railway examined, and to state in effect that the letter of the Secretary of the Trustees to Mr. Duval to examine the road referred to, if any, does not appear in the minutes of the Trustees, and therefore that portion of the request cannot be complied with, and that a copy of such letter be filed with the original letter of Messrs. Cooper & Cooper with the Secretary of the Trustees.

The Trustees then considered for the third time the petition of Mathilda G. Kittel as executrix of the last will and testament of Joseph J. Kittel, deceased, and as sole devisee under said will, praying that the Trustees execute and deliver to her a deed in due form conveying to her the legal title to the lands described and set forth in said petition and exhibits thereto, which is denied. It appearing to the satisfaction of the Trustees that the same principles and questions are raised and involved in the petition and its prayer that was presented to the Trustees on the 25th day of July, 1901, in the petition of the Louisville and Nashville Railway Co., asking for a certificate or certificates entitling it to the number of

acres claimed to be due it, amounting to 1,401,506 99-100 acres, in satisfaction of its alleged grant, and further that upon such certificates where such lands are patented to the State deeds to be made to it. The petition referred to a certain suit then pending in the United States Circuit Court, for the Northern District of Florida, by the Louisville and Nashville Railway Co., against J. J. Kittel as grantee of one of the Junior land grant railroad companies, the purpose of such suit being to recover from such grantee the lands alleged by the petitioner to belong to it, Hon. Fred T. Myers, representing the claim of the said J. J. Kittel, which petition is also denied. These denials are intended to apply with equal force to all claims under Chapter 3335, acts of 1881, and Chapter 3494, acts of 1883. On January 7th, 1902, a petition was presented on behalf of the Florida Southern Railway Co., by Messrs. W. L. Clay and Geo. P. Raney, solicitors for petitioner, alleging that there were lands due the petitioner by the State of Florida, and large quantities of land earned by petitioner under grants made by the Legislature of said State out of the lands granted to the State by act of Congress of September 28th, 1850, to petitioner and predecessor, the Gainesville, Ocala and Charlotte Harbor Railway Co., praying that the acreage claimed, amounting to 301,990 25-100 be conveyed to petitioners, which petition is denied.

A petition was presented to the Trustees of the Internal Improvement Fund of Florida on behalf of the Savannah, Florida and Western Railway Co., by Messrs. W. L. Clay and Geo. P. Raney, Solicitors for petitioners, on January 7th, 1902, alleging among other things that there was due petitioners by the State of Florida large quantities of land earned by the Silver Springs, Ocala and Gulf Railway Co., which corporation was consolidated in 1901, with the Savannah, Florida and Western Railway Co., praying that the lands claimed to be due, amounting to 157,354.55-100 acres as earned by the Silver Springs, Ocala and Gulf Railway Co., and the further claim of 93,175.29-100 acres claimed to have been earned by the South Florida Railway Co., also consolidated with the Savannah, Florida and Western Railway Co., be conveyed to the petitioner without delay, which petition is denied.



Divers applications were made on behalf of the Tallahassee South Eastern Railway Co., for lands claimed to be due it under Legislative enactments, which were denied.

Application was made on behalf of the Florida East Coast Railway Co., in September, 1903, for lands alleged to have been earned by it and its predecessors, the Jacksonville, St. Augustine, and Indian River Railway Co., amounting to 2,040,000 acres, which is denied.

Application was made on behalf of the Atlantic, Suwannee River and Gulf Railway Co., for deed to 200,000 acres alleged to have been earned under Legislative enactments, and a further application on behalf of the Atlantic, Suwannee River and Gulf Railway Co., for certificates or conveyance to 160,000 acres claimed to have been earned by it under legislative enactments; which petition is denied.

Also on behalf of the Blue Springs, Orange City and Atlantic Railway for deeds for balance claimed by it under legislative enactments, amounting to 9,775.92-100 acres, also on behalf of the J. T. & K. W. Ry. Co., for balance claimed to be due it under legislative enactments amounting to 19,696.62-100 acres, which application is denied.

*Whereas*, It is deemed proper that the minutes of the Trustees should contain a succinct statement of the attitude, judgment and policy of the Trustees relative to the petitioners claims, therefore, the following preamble and resolution were presented by Governor Jennings and upon motion of Mr. Ellis, Attorney General, were unanimously adopted and ordered spread upon the minutes, which are as follows:

*Whereas*, The Congress of the United States, "to enable the State of Arkansas and other States to reclaim the swamp lands within their limits" by an act approved September 28, 1850, granted the whole of the swamp and overflowed lands therein to said States "to enable them to construct the necessary levees and drains to reclaim" said lands and provided in said act that the Secretary of the Interior should make out accurate lists and plats of the lands described and at the request of the Governor of the State, cause patents to be issued to the State therefor and on that patent the fee simple to the said lands

should vest in the State, subject to the disposal of the Legislature thereof and provided "that the proceeds of said lands, whether from sale or direct appropriation in kind, should be applied, exclusively, as far as necessary, to the purpose of reclaiming said lands by means of the levees and drains aforesaid;" and

*Whereas*, The Legislature of the State of Florida disposed of the swamp and overflowed lands in said State by an act approved January 6, 1855, and therein provided, that all the swamp land or lands subject to overflow, granted to this State by an act of Congress approved September 28, A. D. 1850, together with all the proceeds that have accrued or may hereafter accrue from the sale of said lands, were thereby set apart and declared a distinct and separate fund to be called the Internal Improvement Fund of the State of Florida and to be strictly applied according to the provisions of that act, and that for the purpose of assuring a proper application of said fund for the purpose herein declared, "said lands and all the funds arising from the sale thereof, after paying the necessary expenses of selection, management and sale, are thereby irrevocably vested in five trustees to hold the same in trust for the uses and purposes therein provided, with the power to transfer and sell said lands to the Purchasers, and receive payment for the same, and invest the surplus moneys arising therefrom; that the trustees should thereafter fix the price of the public lands included in the trust, and make such arrangements for the drainage of the swamp or overflowed lands as in their judgment might be most advantageous to the fund, and the settlement and cultivation of the land, and that the trustees should encourage actual settlement and cultivation of said lands; that the alternate Sections of the swamp and overflowed lands, for six miles on each side might be granted by the general assembly to such railroad companies, to be thereafter chartered, as they might deem proper, on their compliance with the provisions of said act as to the manner of constructing the road and drainage; and

*Whereas*, The said act creating the said trust has not been repealed and remains in full force and effect, and the Trustees named therein continue to exercise the pow-

ers and functions therein granted in the management of the trust fund created by said act; and

*Whereas*, The Trustees are not by said trust act, or otherwise and have never been, authorized or empowered by law to issue certificates or otherwise obligate themselves by instruments of writing, or otherwise to convey lands to be thereafter patented to the State, under the provisions of the act of Congress of September 28, 1850, or to dispose of the lands or properties of the fund for purposes other than as expressed in the act of Congress of September 28, 1850, and the act of the Legislature of Florida of January 6, 1855; and

*Whereas*, Individual Trustees were not authorized by law to bind the fund, nor their successors, by certificates, resolutions, or otherwise except in the final consummation of contracts or in the execution and delivery of deeds as contemplated by law.

*Therefore*, Be it resolved by the Trustees of the Internal Improvement Fund of the State of Florida, all being present:

(1)—That the Trustees adhere strictly to the provisions of the act of January 6, 1855, Chapter 610, Laws of Florida, as to their powers, and duties and the purposes for which said trust was created, and that they will assert their rights and defend the title to the lands granted and irrevocable vested in them for the purposes therein set forth, of reclaiming said lands by means of levees and drains.

(2)—That the Trustees of the Internal Improvement Fund of the State of Florida, had no legal right; authority or power to bind their successors by means of certificates or instruments of writing or obligations other than duly executed deeds passing the legal title to lands of the fund, and that all certificates or other instruments of like character, tenor and effect, issued by the predecessors of these Trustees be and the same are hereby declared to be of no binding force or effect, and are hereby specifically and separately revoked and annulled, and each and every of the above mentioned and referred to applications and petitions, for lands are hereby denied and the former declination of the Trustees on the various applications made are hereby confirmed.

(3)—That there remained in the State of Florida, subject to the disposal of the Legislature thereof, no title to the swamp lands granted to the State of Florida by the act of Congress of September 28, 1850, subsequent to the approval of the act of January 6, 1855, Chapter 610, Laws of Florida creating the Internal Improvement Fund and declaring that said lands and all the funds arising from the sale thereof, after paying the necessary expenses, are thereby irrevocably vested in the Trustees: And therefore, these Trustees decline, as they have at all times heretofore declined, to recognize any of the so-called land grants to railroad and canal companies claimed under the special legislative enactments of 1879, and subsequent thereto.

(4)—That under the act of Congress of September 28, 1850, the legal titles remains in the United States and passes to the State only on delivery of the patent. Therefore the lands embraced in the patent, numbered 137 dated the 29th day of April, 1903, conveying 2,862,280 acres, known as "The Everglades" patent, are not subject to any claim of any railroad or canal company by reason of any special legislative enactment granting lands thereto, or certificates issued or obligations entered into by the Trustees of said fund, prior to the date of said patent.

The following resolution was adopted:

*Resolved*, That the Attorney for the Trustees be, and he is hereby instructed to file a bill in chancery on behalf of the Trustees against Mathilda G. Kittel, as executrix, of the last will and testament of J. J. Kittel, deceased, and as sole devisee under said will, to remove her claim and the cloud cast upon the title of the Trustees, in the Circuit Court of Calhoun County, Florida.

Governor Jennings presented the following statement and resolution for the consideration of the Trustees of the Internal Improvement Fund relative to the Florida Coast Line Canal and Transportation Company, namely:

*Whereas*, The Florida Coast Line Canal & Transportation Company, organized under letters patent August 3, 1881, has from time to time since its organization, received liberal concessions from the Trustees, as appears by various resolutions in the minutes and official records of said Trustees of the Internal Improvement Fund of the State of Florida, and

*Whereas*, Said Florida Coast Line Canal and Transportation Company has declined and failed to file with the Trustees any plans or specifications, of a canal, as contemplated by law and the resolutions of the Trustees aforesaid, and

*Whereas*, The said Florida Coast Line Canal & Transportation Company has declined and failed to file any profile, or plat, as contemplated by law, in the office of the Secretary of State, showing that a survey of the route had been made, and

*Whereas*, There have been certain reservations made from time to time by the Trustees aforesaid upon the application of the Canal Company aforesaid, running through a long period of time or term of years, which are not satisfactory to the Trustees of the Internal Improvement Fund of the State of Florida, in view of the failure on the part of the Canal Company to comply with the provisions of the statute in such cases made and provided, by filing the necessary profile, plats, specifications, plans and details of construction with the Secretary of State, showing that a survey of the route had been made, and

*Whereas*, The said Florida Coast Line Canal and Transportation Company has received deeds to lands, that it had neither earned nor was entitled to under the provisions of law and the resolutions of the Trustees of the Internal Improvement Fund, and

*Whereas*, The Florida Coast Line Canal & Transportation Company has declined and failed to file in the Secretary of State's Office a plat or profile or the details of construction as contemplated by law, showing the route contemplated by said Canal Company, from the North-east end of Biscayne Bay to Key West or of any part thereof for a period of upwards of ..... years, and has failed to construct such a canal or any section or portion thereof, and

*Whereas*, It is apparent from the reports of the engineers on file with the Trustees, and other evidence brought to their knowledge, that there has been a large acreage of lands deeded to the said Canal Company by the Trustees aforesaid under a misapprehension of facts, which have not been earned by the said Canal Company, and the said



Canal Company not being entitled theerto; Therefore be it

*Resolved*, by the Trustees of the Internal Improvement Fund of the State of Florida

(1) That the resolutions of the Trustees aforesaid continuing the withdrawal from sale of all swamp lands within six miles of the route of said Canal Company, the reservations extending to the Southern boundary of Township 52 South and East, page 409; resolution dated June 4, 1883, pages 463 and 464; resolutions referring to the withdrawal from sale of the odd and even sections of land for six miles distant from the shore, dated April 23, 1885, pages 617, 618 and 640; resolutions No. 1 and 3, dated February 17, 1888; resolution referring to the further sales of land not being made without the consent of said Canal Company, pages 793, 794; reservations contained in the second and third resolutions, dated March 9, 1886, pages 807, 808; all in volume 2, Minutes of the Trustees; resolutions numbered 1 and 2, dated January 25, 1889, relative to reservations of the sales of land and the disposition of moneys derived from sales; resolution dated June 22, 1897, to the effect that no more sales will be made within the reservation of the said Canal Company by the salesman of the Trustees, that said Canal Company shall have the right to sell any of said lands south of Georgiana, not exceeding 100,000 acres, pages 181 to 185, Volume 5 Minutes of the Trustees; and all similar resolutions granting reservations or authorizing sales of the lands of this fund by said Canal Company be and the same are each and separately hereby revoked, annulled, declared forfeited and of no effect.

(2) That the Florida east Line Canal and Transportation Company is not entitled to 3840 acres of land per mile as claimed; but only to the acreage of swamp and overflowed lands duly earned that had been patented to the State under the Act of Congress of 1850, at or prior to the date that said Canal Company earned said lands by the actual construction of a canal as contemplated by law and the resolutions of the Trustees of the Internal Improvement Fund of the State of Florida.

(3) That all resolutions granting reservations of lands of this Fund to said Canal Company for said contemplated extension from Biscayne Bay to Key West, be and

the same are hereby declared to be forfeited, revoked, annulled and declared to be of no force and effect.

(4) That said Canal Company will be entitled, when the canal is constructed in accordance with its charter, to such lands only as may be earned by actual construction, and that in computing the mileage of constructed canal for the purpose of making a conveyance of lands to said Canal Company on account of construction, natural waterways or portions thereof already having navigable capacity equal to that of the proposed canal shall not be included.

(5) That no further reservations of the lands of the fund be made for, nor deeds be executed to, the said Canal Company, until a thorough inspection be made of the construction of said canal by two experienced, skilled engineers under the direction of the Trustees, and a delineation be made and exhibited by said engineers to the Trustees, showing the details of the route, work done and the length of said canal completed in accordance with the resolutions of the Trustees, by actual construction, natural waterways being excluded from said computation and measurement.

(6) That the lands heretofore deeded to said Canal Company in excess of what it was entitled to, should be reconveyed by the said Canal Company to the Trustees aforesaid, and that the Secretary of the Trustees make demand upon said Canal Company for such deed of reconveyance and especially a reconveyance of the lands conveyed in deed No. 14273 dated September 24, 1891, Deed No. 14393 dated March 13, 1891, Deed No. 14469 dated July 14, 1891, Deed No. 14502 dated October 5, 1891, Deed No. 14708 September 3, 1892, Deed No. 15302 dated May 31, 1897, conveying a total acreage of 92,069.50 acres lying south of township 52 which is south of the north end of Biscayne Bay, erroneously deeded, and upon the failure of said Canal Company to reconvey the said 92,069.50 acres of land aforesaid that suit be instituted to recover the lands or their equivalent; to the end that the Internal Improvement Fund may be fully protected.

Upon motion of Attorney General Ellis the foregoing resolution was unanimously adopted.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
W. M. McINTOSH, JR.,  
Secretary.

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Tallahassee, Fla., November 22, 1904.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

W. V. Knott, Treasurer.

W. H. Ellis, Attorney General.

B. E. McLin, Commissioner of Agriculture.

The following preamble and resolution was presented by Governor Jennings:

*Whereas*, It appears that from time to time the attention of The Atlantic and Gulf Coast Canal and Okeechobee Land Company was called to the serious damage resulting from the opening of the canal from Lake Okeechobee to Lake Hickpochee; and that said Company agreed to close said canal, but failed to do so, notwithstanding such promise made upon notice that if the canal was not closed by it that the Trustees would proceed to close the same at the expense of said company.

*And Whereas*, The drainage operations of said Company have been productive of great injury to property, which is due to the acts of said Company; and the purpose for which the large area of land was to be conveyed has been in a great measure defeated.

*And Whereas*, The records show that prior to 1896 there were one million six hundred and fifty-two thousand seven hundred and eleven 80-100 (1,652,711.80) acres of land conveyed to said Company out of the maximum of two million acres claimed by said Company.

*And Whereas*, The Atlantic and Gulf Coast Canal and Okeechobee Land Company has gone out of existence and the Trustees have no resource except upon what land may not have been conveyed to said Company.

*And Whereas*, At the sale of the land belonging to said Company, at Kissimmee, Florida, all purchasers thereof were put on notice that no further land would be conveyed to said Company, its successors or assigns.

*Therefore be it Resolved*, That all rights that may have at any time existed in The Atlantic and Gulf Coast Canal and Okeechobee Land Company to any further conveyance of land have been forfeited; and that all acts of previous Trustees, whether by resolution or otherwise, providing for the issue of conveyances of land to said Company in excess of the area of land conveyed prior to 1896, be and the same are hereby annulled and declared to be void.

*Resolved further*, That the Commissioner of Agriculture be and he is hereby directed to omit from his future reports the acreage claimed by said company, amounting to 347,288.20 acres and any reference whatever to the Company formerly existing under the title of The Atlantic and Gulf Coast Canal and Okeechobee Land Company.

Upon motion of Attorney-General Ellis the resolution was unanimously adopted.

An account for \$17.40 was presented for the expenses of the Attorney General in attending a conference in Jacksonville with agents of railroads claiming land grants, and it was ordered that the account be paid.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
W. M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., November 25, 1904.

The Board met in the Executive Office.

Present W. S. Jennings, Governor.  
A. C. Croom, Comptroller.  
W. V. Knott, Treasurer.  
W. H. Ellis, Attorney-General.  
B. E. McLin, Commissioner of Agriculture.

The Commissioner of Agriculture was directed to sell the following lands, for the reasons as given below, viz:

To Mr. Joseph Waddington at \$1.25 per acre, Lot 1 of Sec. 34 T. 18 S., R. 16 E., containing 41.43 acres, recently patented to the State as he has been living on same since April 26th, 1900.

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To F. E. Reaves at \$1.00 per acre, the SE $\frac{1}{4}$  of NW $\frac{1}{4}$  and NW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Sec. 9, T. 21 S., R. 26 E., containing 80.00 acres, recently patented to the State. From evidence presented to the Trustees, it was shown that all the timber of value has been removed and said land is desired for a home pasture.

The Commissioner was also directed to prepare a quitclaim deed to H. H. Hume, W. P. Jernagan and F. H. Young, to S $\frac{1}{2}$  of NW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Sec. 31, T. 3 S., R. 17 E., containing 20 acres. The said parties having shown by abstract that they now hold title to same through Arthur J. T. Wright, deceased, who purchased the same from the Trustees, March 8th, 1856, and paid \$1.25 per acre for same in full as shown by Entry No. 1146, and for which no deed appears to have ever been issued.

The Secretary is directed to furnish the Commissioner of Agriculture with a copy of these orders.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
W. M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., December 3, 1904.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

W. H. Ellis, Attorney General.

The following accounts were presented and ordered paid.

I. B. Hilson for blanks, blank books and binding for Salesman's Office in November, 1904, sixty dollars.

I. B. Hilson, on account printing index to Minutes, ninety dollars.

J. L. Billingsley, for copying records, papers, etc., relative to status of swamp and overflowed land under the direction of the Governor, fifty dollars.

W. S. Jennings, for expenses of three trips to Jacksonville, for consultation and investigation on behalf of the Trustees *in re* claims for lands within the Everglades. Sixty-seven dollars and fifty cents.



H. C. Denton, Clerk Circuit Court Alachua county for recording notice of *Lis Pendens* in suit of Trustees vs. Mathilde G. Kittel, as Executrix, etc., seventy-five cents.

W. C. Lockey, Clerk Circuit Court Washington county, recording notice in same suit, eighty cents.

J. I. Hentz Clerk Circuit Court Calhoun county, bill of costs including publication of notice in same suits eight dollars and seventy-one cents.

A. P. Hardee, Clerk Circuit Court Levy county, recording notice in same suit, fifty cents.

Harry D. Hartt, one type writer desk for Secretary of Trustees, thirty dollars.

S. B. Chapin, copy of map for Salesman's Office, two dollars.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.

W. M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., December 6, 1904.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

W. V. Knott, Treasurer.

W. H. Ellis, Attorney General.

The following resolution was adopted:

*Resolved*, That the Comptroller be and he is hereby authorized to employ such additional help as may be required in preparing copy for the printer, proof reading and indexing the Minutes of the Trustees, now being printed in full from the original Minutes and that such assistants be paid three dollars per day for each day of actual service.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.

W. M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., December 17, 1904.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

W. V. Knott, Treasurer.

B. E. McLin, Commissioner of Agriculture.

Governor Jennings presented a letter to the Trustees, dated December 14th, 1904, addressed to him as President of the Trustees, from Perry M. Colson, which was ordered filed, together with copies of the two letters dated, respectively, January 9th and April 27th, 1903, written by the Governor to Neil G. Wade and P. M. Colson; also, a letter of April 25th, 1903, addressed to the Governor from P. M. Colson, being the letter referred to in the Governor's letter of April 27th, 1903, addressed to P. M. Colson, Gainesville, Fla.

After a full consideration of the letters above referred to, it was

*Resolved*, That the Governor, as President of the Trustees, be requested to reply to Mr. Colson's communication of December 14th, 1904, to the effect that an examination of the Minutes of the Trustees and of the letters on file does not show that any one was authorized to employ Mr. Hampton as Counsel for the Trustees.

It was ordered that the Comptroller be authorized to purchase for the use of the Secretary a system of files and index.

The Secretary was directed to furnish F. B. Bell with copies from the records showing disposal of the application of Mrs. M. G. Kittel and order for commencement of proceedings by the Attorney of the Trustees to remove cloud from title to lands embraced in said application.

The application of Messrs. S. W. Teague and Arthur T. Williams for contract in relation to the recovery of swamp indemnity lands from the United States for lands heretofore sold by the Government under the Act of Congress of September 28th, 1850, was taken up; and after consideration thereof, the matter was deferred for the consideration of the Trustees after January 3d, 1905.

The following bills were presented and ordered paid:

I. B. Hilson, for printing Volume IV of the Minutes of the Trustees I. I. Fund, \$272.80.

John McDougall, Postmaster, for stamped envelopes for Salesman's Office, December 15th, 1904, \$127.80.

M. J. Bryan, Clerk Circuit Court Lafayette County, for recording Notice Lis Pendens *in re* Trustees vs. M. G. Kittel, as Executrix, etc., \$1.00.

I. J. McCall, Clerk Circuit Court Hamilton county, for recording Notice Lis Pendens *in re* Trustees vs. M. G. Kittel, as Executrix, etc., 90 cents.

S. W. Teague, commissions in the matter of timber depredations on public lands, \$44.43.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.

W. M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., December 19, 1904.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

W. V. Knott, Treasurer.

W. H. Ellis, Attorney General.

B. E. McLin, Commissioner of Agriculture.

Application having been made by T. L. Clarke, Esq., and J. W. Malone for assistance from the Trustees by employment of Counsel in ejectment cases now pending in the Circuit Court in and for DeSoto County, involving the title to lands heretofore deeded by the Trustees to J. W. Malone upon an assessment and order of one S. I. Wailes as compensation for selection of lands under contract with the Trustees which have been recognized as expenditures incidental to the carrying on of the trust, after consideration it is

*Resolved*, That the Trustees pay a reasonable attorney's fee to Mr. T. L. Clarke as Special Counsel in said case or cases, such reasonable compensation to be hereafter determined and fixed by the Trustees upon a showing of the services rendered.

The following bill was presented and ordered paid:

John C. Calhoun, Clerk Circuit Court of Taylor County, for recording Notice of Lis Pendens in case of Trustees vs. M. G. Kittel, as Executrix, etc., \$1.00.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.

W. M. McINTOSH, JR.,  
Secretary.

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Tallahassee, Fla., December 22, 1904.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

W. V. Knott, Treasurer.

W. H. Ellis, Attorney General.

B. E. McLin, Commissioner of Agriculture.

Mr. I. B. Hilson presented a proposal to print one thousand copies of an index to each volume of the Minutes of the Trustees to be bound in each volume at one dollar and fifty cents per page and it was

*Resolved*, That the proposition of Mr. I. B. Hilson be accepted.

It appearing that Mr. Hilson had printed one thousand extro copies of the Index to Volume 2, under instructions given when the Trustees contemplated a different arrangement as to the Indices.

*It is Ordered*, That Mr. Hilson be paid fifty cents per page for printing the additional copies of the Index to said Vol. 2.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.

W. M. McINTOSH, JR.,  
Secretary.

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Tallahassee, Fla., Decem̄ber 23, 1904.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

W. V. Knott, Treasurer.

W. H. Ellis, Attorney General.

B. E. McLin, Commissioner of Agriculture.

Mr. Henry S. Wilson, of Palatka, Florida, appeared before the Trustees and presented copies of original correspondence on file with the Commissioner of Agricul-

ture to the effect that the late John A. Henderson, as State Agent, had transferred to the said Henry S. Wilson the preferred right to enter a tract of 1,553 acres of land as described and set forth in said correspondence, which tract is unsurveyed and unpatented. After a consideration of his application it was

*Resolved*, That Mr. Henry S. Wilson be granted a preference, which shall be construed to mean a preference to enter the tract of 1,553 acres unsurveyed mentioned when patented, upon such terms, conditions and considerations as the Trustees may determine upon. The Trustees are not sufficiently advised in the premises to pass upon any question other than one of preference.

#### SWAMP INDEMNITY LANDS.

The following resolution was adopted:

*Whereas*, Under the provisions of the Act of Congress approved September 28, 1850, the swamp and overflowed lands as therein characterized within the State of Florida were vested in said State, and that certain of these lands have been from time to time been sold and otherwise disposed of by the United States Government for which the State of Florida is entitled, under the law, to indemnity, at the rate of one dollar and twenty-five cents per acre for lands thereby granted to the State of Florida and sold and disposed of by the United States prior to 1857, and

*Whereas*, A large acreage has been sold and otherwise disposed of by the United States Government, the title to which vested in the State of Florida, under the Act of Congress aforesaid, subsequent to 1857, to which the State of Florida is justly entitled; therefore, be it

*Resolved*, By the Trustees of the Internal Improvement Fund of the State of Florida, that the Senators and Representatives in the Congress of the United States of America from Florida, be, and they are hereby, urged to introduce a bill to amend the existing statute on this subject by eliminating from the present statute of the United States the limitation of the year 1857, thus granting to the State of Florida the right to indemnity for its lands acquired under the Act of Congress aforesaid that have been sold and otherwise disposed of by the United States Government and not heretofore paid.



## UNSURVEYED LANDS.

*Whereas*, There is a large acreage of unsurveyed lands within the State of Florida, amounting to about three million acres, patented to the State of Florida by the United States in April, 1903, which should be surveyed, and

*Whereas*, The State of Florida is not authorized to survey the lands, this being a function exercised exclusively by the United States Government; therefore be it

*Resolved* by the Trustees of the Internal Improvement Fund of the State of Florida, in whom the swamp and overflowed lands granted under the Act of Congress of September 28, 1850, is vested, that the Senators and Representatives in the Congress of the United States from Florida be, and they are hereby urged to introduce a bill in the Congress of the United States providing for a survey of the unsurveyed lands in Florida under the supervision of the Interior Department of the United States.

*Resolved further*, That copies of these resolutions be furnished to Hon. S. R. Mallory, United States Senator, Hon. Jas. P. Taliaferro, United States Senator, Hon. Stephen M. Sparkman, Congressman, Hon. R. W. Davis, Congressman and Hon. W. B. Lamar, Congressman, by the Secretary of the Trustees.

The foregoing resolution was adopted.

The following resolution was presented and upon motion was adopted:

*Whereas*, Much inconvenience is experienced in the management of law suits in which the Trustees of the Internal Improvement Fund of Florida are parties or interested, in not having in systematic order records or files of suits pending showing the status of pleadings, and

*Whereas*, It has been found difficult to procure promptly from the Clerks of the Courts copies of the pleadings, which are needed by counsel for the Trustees in the preparation of pleadings on behalf of the Trustees, and

*Whereas*, Many important files and records in which the Trustees were interested and the interests of the Trust Fund were involved have been destroyed by the burning of public buildings in which suits were pending and records and pleadings were filed; Therefore, In order to establish

a more complete system of court proceedings in which the Trust is interested, be it

*Resolved*, That the Secretary of the Trustees be and he is hereby required to procure a suitable separate docket similar to a Progress Docket in use in the Circuit Courts of this State in which he shall enter the style of the case, the court in which the suit is pending, the filing by either party to any cause of any appearance, and by whom, pleadings therein, and any step taken in the Clerk's office or order made by any Judge in connection with said cause. That he shall keep in correspondence with the clerk and Judge in order that he may obtain copies and all necessary information, promptly.

*Second*. That the secretary shall procure copies of all bills, pleadings, orders, judgments, decrees, etc., filed on behalf of the Trustees or against the Trustees in the various courts, and keep all papers filed relating to each case separately in his office, which papers in each case shall be attached together with tape or ribbon substantially and kept distinct from other papers, and keep a file index sheet in each case on which shall be noted a complete abstract of each and every paper filed in said cause, or procured by the Secretary, setting forth the date the paper was filed with the Clerk of the Court, the character of the papers, etc., with suitable endorsements on each file or package of papers.

The following resolutions were presented, considered and adopted:

*Resolved*, by the Trustees of the Internal Improvement Fund of Florida that the Resolution appearing on the bottom of page 107, dated January 23, 1882, of Volume 3 of the printed minutes, as follows:

"The Board having reserved from sale for the benefit of the Jacksonville, St. Augustine and Halifax River Railway Company the odd numbered sections of Swamp Lands for six miles on each side of said Company's road, on the 28th day of May, last, and no record having been been made of such action, it was Ordered, That the Secretary now enter upon the minutes of the Board the fact that such reservation was made on said date," be, and the same is hereby revoked and annulled and declared to be of no force and effect.

*Resolved*, (2d). That the Resolution appearing on

page 114, Volume 3 of the printed minutes, dated February 15, 1882, as follows:

*"Resolved*, That the odd numbered sections of the lands granted to the State of Florida by the United States under Act of Congress of September 28th, 1850, lying on each side and within six miles of the line of the Jacksonville, St. Augustine and Halifax River Railway be withdrawn from sale until the further order of this Board for the purpose of aiding in the construction of said road," be, and the same is hereby revoked and annulled and declared to be of no force and effect.

*Resolved*, (3d). That the Resolution appearing on page 115, Volume 3 of the printed minutes, dated February 18, 1882, as follows:

*"Resolved*, That the lands granted to the State of Florida by the United States under the Act of Congress of September 28th, 1850, in odd numbered sections on either side and within six miles of the Line of the Sanford & Indian River Railroad be withdrawn from sale for the benefit of said road, until the further order of the Board," be, and the same is hereby revoked and annulled and declared to be of no force and effect.

*Resolved*, (4th). That the resolution appearing on page 433, Volume 4 of the printed minutes of the Trustees, dated February 16, 1898, which reads as follows, to wit:

*"Resolved*, That all the lands granted to the State of Florida by the Act of Congress of September 28th, 1850, lying and being south of township 58 South, and situated on the mainland of this State, be and the same are hereby reserved for the benefit of the Florida East Coast Railway Company, reserving the rights of actual settlers now on the lands so set apart and reserved," be, and the same is hereby revoked and annulled and declared to be of no force and effect.

*Resolved further*, That the Secretary of the Trustees of the Internal Improvement Fund of Florida be instructed to file a copy of all the foregoing resolutions with the respective Clerks of the Circuit Courts in the counties in which the lands referred to are situated, to be recorded.

It was ordered that the Secretary of the Trustees furnish the Honorable Commissioner of Agriculture with a copy of the minutes of the Trustees relating to the revocation of resolutions of the Trustees whether under enact-

ments of the legislature or otherwise to railroad and canal companies or otherwise, for the information of the Honorable Commissioner of Agriculture, that his maps, files, papers and records may be noted and that the same may be made to conform in all matters touching the interests of the Internal Improvement Fund of Florida to the minutes, and that the same may be properly omitted from his tables and reports.

The following memorandum was presented, adopted and ordered to be spread upon the minutes:

Memorandum forming the basis of a contract to be hereafter entered into between the Trustees of the Internal Improvement Fund of the State of Florida, of one part and I. B. Hilson and J. G. Ward, of the other part.

1st. The Trustees are to appoint Hilson and Ward agents to ask, demand, sue for and recover in the name of the Trustees, all indebtedness due to the Trustees by any person or persons on account of trespass committed upon the lands of the I. I. Fund lying west of the Suwannee River, except that territory now covered by similar contract with F. B. Bell, and lying in the Chattahoochee, Apalachicola and Chipola and Dead Lakes valleys.

2nd. The agents to have power in the name of the Trustees to recover damages in trover, replevin, trespass or any action at law, which the agents may deem necessary or expedient, to bring against any person or persons, who may have without authority of law entered upon the lands of the I. I. Fund, and cut and removed timber or logs therefrom or against any person or persons, firm or corporation, who may have purchased or received said timber or logs and have not paid the trustees therefor.

3rd. The agents to defray all expenses, including court costs and attorneys' fees incurred in the discovery, prosecution of the claims and damages aforesaid.

Report by agents and settlement to be made upon the close of each transaction.

4th. The Trustees will pay to the agents, fifty per cent. of the gross amount recovered and collected and paid over to the Trustees upon each claim or suit.

5th. The agents to save the Trustees harmless from any and all expenses incurred in and about the discovery and prosecution of the claims aforementioned.

The contract entered into by and between the Trustees

parties of the first part, and I. B. Hilson and John G. Ward parties of the second part having been duly executed it was ordered that it be spread upon the minutes and the said contract is in words and figures as follows:

The contract entered into by and between the Trustees, parties of the first part, and I. B. Hilson and John G. Ward, parties of the second part, having been duly executed—

It was ordered, That it be spread upon the Minutes; and said contract is in words and figures as follows:

This contract, made and entered into by and between the Trustees of the Internal Improvement Fund of the State of Florida as such, as parties of the first part, and I. B. Hilson and John G. Ward, parties of the second part, Witnesseth:

1.

That the parties of the first part do hereby appoint and constitute the parties of the second part the agents of the parties of the first part for the purpose of demanding, collecting and receiving in the name and on behalf of the parties of the first part any and all sums or amounts which the parties of the first part may be entitled to demand, collect or receive from any person, firm or corporation, on account of any and all trespass committed heretofore or which during the life of this contract may be committed upon any lands lying west of the Suwannee River, except such portion of said lands as is now covered by similar contract with F. B. Bell, lying in the valleys of the Chattahoochee, Apalachicola and Chipola Rivers and the Dead Lakes, over which the parties of the first part now have or may during the life of this contract, acquire control, said agents to have the authority to bring and maintain in the names of the parties of the first part such suits at law as the parties of the second part may deem necessary or expedient to recover any and all property which has heretofore been taken or may during the life of this contract be taken by trespass from any of said lands not embraced in the above and foregoing exception, as well as for the purpose of recovering the value of any such property or for damages arising on account of any such trespass; *provided, however*, that said agents shall



hold the parties of the first part harmless against all expenses, costs and attorney's fees which may be incurred in the investigation or discovery of any real or supposed trespass, and in all litigation instituted on account of any such real or supposed trespass; that the agents shall not be permitted in the name of the trustees to make contracts for the payment of attorney's fees, nor in any manner bind the trustees by contract to pay any expenses whatsoever in and about the institution and prosecution of the suits which may be instituted in accordance with this contract.

## 2.

That the parties of the first part shall and will pay to the parties of the second part 50 per cent. of the gross amount so collected or recovered and paid over to the parties of the first part upon each claim or suit.

## 3.

That the parties of the second part shall make prompt report and settlement to the party of the first part upon the close of each claim or suit.

## 4.

That the parties of the second part shall have the control and management of any and all suits brought under or by virtue of the authority herein contained and may comprise the same, upon the written consent of the Trustees and according to the terms specified in such written consent.

## 5.

That this contract shall continue in force during the pleasure of the Trustees.

In Testimony Whereof, The parties have hereunto set their hands and seals this 23 day of December, A. D. 1904.

W. S. JENNINGS, Governor. (SEAL)

A. C. CROOM, Comptroller. (SEAL)

W. H. ELLIS, Attorney General. (SEAL)

W. V. KNOTT, Treasurer. (SEAL)

I. B. HILSON (SEAL)

JNO. G. WARD (SEAL)

by I. B. Hilson, Attorney in fact.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
W. M. McINTOSH, JR.,  
Secretary.

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Tallahassee, Fla., December 24, 1904.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.  
A. C. Croom, Comptroller.  
W. V. Knott, Treasurer.  
W. H. Ellis, Attorney General.  
B. E. McLin, Commissioner of Agriculture.

The following accounts were presented and ordered paid.

I. B. Hilson, for printing extra copies index to Vol. 3, 58 pages at 50c amounting to twenty-nine dollars.

R. W. Williams, Attorney of Trustees for traveling expenses *in re* suits by Trustees from June 13th, to December 15th, 1904, amounting to eighty-four dollars and fifty cents.

Fannie L. Dickinson, for transcript of testimony in case of United States vs. Heitman et al for use of Attorney of Trustees, five dollars and sixty-four cents.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor  
W. M. McIntosh, Jr.,  
Secretary.

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Tallahassee, Fla., December 27, 1904.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.  
A. C. Croom, Comptroller.  
W. V. Knott, Treasurer.  
W. H. Ellis, Attorney General.  
B. E. McLin, Commissioner of Agriculture.

Mr. John W. Henderson appeared before the Board and presented the following petition.

To the Hon. W. S. Jennings, Governor of the State of Florida, W. V. Knott, Treasurer, W. H. Ellis, Attorney-

General, A. C. Croom, Comptroller, and B. E. McLin, Commissioner of Agriculture of said State of Florida.

The petition of John W. Henderson, Jennie H. Murphree and Flora A. Waldo, would respectfully show:

That petitioners are the children and only heirs at law of John A. Henderson, who departed this life intestate in Leon County, State of Florida on the 9th day of August A. D. 1904.

That on the 15th day of November A. D. 1897, and for a number of years prior thereto said John A. Henderson was agent of the State of Florida for the selection of swamp and overflowed lands under the Act of September, 28th., 1850, passed by Congress of United States, by appointment and contract with the Trustees of Internal Improvement Fund of the State of Florida.

That on the 15th day of November A. D. 1897, said John A. Henderson as such agent presented his application to said Trustees for a settlement and adjustment of his accounts for the selection of lands up to that date under his said appointment and contract aforesaid and proposed to accept in full satisfaction of his claims for such compensation certain lands embraced between the then existing surveys and the margins of the Okeechobee and tributaries containing about 98,000 acres then unsurveyed and not patented to the State.

That the said proposition of said Agent John A. Henderson was then and there accepted by said Trustees and by Resolution of said Trustees the said lands were withdrawn from sale and further disposal, and said Trustees resolved to convey the same to said Henderson or his assigns in full settlement of his compensation for services as State Agent for the selection of lands as aforesaid up to the date aforesaid, when said lands should be patented to the State. All of which will appear more fully by reference to the minutes of said Trustees as appearing in their printed proceedings for the year 1897, on pages 24-26 which are made a part of this petition as if set out herein.

That on the 29th day of April, 1903, the said lands were duly patented to the State of Florida and the said John A. Henderson then became entitled to a conveyance of the same by deed from said Trustees under the terms of the settlement and resolutions aforesaid, but no such convey-

ance was made by said Trustees to said Henderson in his life time or has since been made to his heirs or assigns.

That petitioners as the children and only heirs at law of said John A. Henderson deceased are entitled by inheritance to all his property including his right to a conveyance of the lands aforesaid.

Wherefore petitioners pray that said lands by proper description as contained in the Patents thereof be conveyed by proper deed duly executed by said Trustees of the Internal Improvement Fund of the State of Florida to your petitioners as heirs at law of said John A. Henderson, deceased.

And will ever pray, etc.

JOHN W. HENDERSON.  
JENNIE H. MURPHREE.  
FLORA A. WALDO, by  
JOHN W. HENDERSON.

T. L. CLARKE, Atty. for Petitioners.

State of Florida, {  
Leon County. }

Before the undersigned authority personally appeared John W. Henderson one of the petitioners named in the foregoing petition who being duly sworn says that all the facts therein set forth are true as stated in said petition.

JOHN W. HENDERSON.

Sworn to and subscribed before me this December 21st,

A. D. 1904

NELLIE E. BASSETT,

Notary Public State Fla.

Com. Expires Aug., 1907

(Seal).

After considering the foregoing petition, the following resolution was adopted:

*Whereas*, Honorable T. L. Clarke, in behalf of John W. Henderson, Jennie H. Murphree and Flora A. Waldo, did on the 21st day of December A. D. 1904, present to the Trustees of the Internal Improvement Fund, a petition setting out the fact that the said John W. Henderson, Jennie H. Murphree and Flora A. Waldo, were children and only heirs at law of John A. Henderson, who depart-

ed this life intestate in Leon county, State of Florida on the 9th day of August A. D. 1904.

And on the 15th day of November A. D. 1897 and for a number of years prior thereto, the said John A. Henderson was agent of the State of Florida for the selection of Swamp and Overflowed lands under the Act of Congress September 28th 1850, by appointment and contract with the Trustees of the Internal Improvement Fund of the State of Florida. And that on the said 15th day of November A. D. 1897 there was an adjustment and settlement between the said John A. Henderson, as State Agent and the Trustees of the Internal Improvement Fund, upon the claims of the said Henderson against the said Trustees for services rendered in and about the selection of Swamp and Overflowed lands accruing to the State by said Act of Congress September 28th, 1850, in which settlement the said Trustees resolved to convey to the said Henderson or his assigns certain lands embraced between the then existing surveys and the margin of the Okeechobee Lake and Tributaries containing about 98,000 acres then unsurveyed and not patented to the State, in full settlement of his compensation for services as such State Agent for the selection of lands as aforesaid.

Said petition further alleging that the said lands were duly patented to the State of Florida on the 29th day of April, 1903, and that the said Henderson then became entitled to a conveyance of the same by deed from the said Trustees under the terms of the settlement and resolution, aforesaid, but that no such conveyance was made by said Trustees to said Henderson in his life time, or has since been made to his heirs or assigns.

That the said John W. Henderson, Jennie H. Murphree and Flora A. Waldo, as the children and only heirs at law of said John A. Henderson, are entitled by inheritance to all his property including his right to a conveyance of the lands aforesaid.

The said petition praying that the said Trustees of the Internal Improvement Fund of the State of Florida will convey by proper deed duly executed by said Trustees to the petitioners as heirs at law of the said John W. Henderson, deceased, the said lands by proper description as contained in the patents thereof.



ance was made by said Trustees to said Henderson in his life time or has since been made to his heirs or assigns.

That petitioners as the children and only heirs at law of said John A. Henderson deceased are entitled by inheritance to all his property including his right to a conveyance of the lands aforesaid.

Wherefore petitioners pray that said lands by proper description as contained in the Patents thereof be conveyed by proper deed duly executed by said Trustees of the Internal Improvement Fund of the State of Florida to your petitioners as heirs at law of said John A. Henderson, deceased.

And will ever pray, etc.

JOHN W. HENDERSON.  
JENNIE H. MURPHREE.  
FLORA A. WALDO, by  
JOHN W. HENDERSON.

T. L. CLARKE, Atty. for Petitioners.

State of Florida, {  
Leon County. }

Before the undersigned authority personally appeared John W. Henderson one of the petitioners named in the foregoing petition who being duly sworn says that all the facts therein set forth are true as stated in said petition.

JOHN W. HENDERSON.

Sworn to and subscribed before me this December 21st,  
A. D. 1904

NELLIE E. BASSETT,  
Notary Public State Fla.  
Com. Expires Aug., 1907  
(Seal).

After considering the foregoing petition, the following resolution was adopted:

Whereas, Honorable T. L. Clarke, in behalf of John W. Henderson, Jennie H. Murphree and Flora A. Waldo, did on the 21st day of December A. D. 1904, present to the Trustees of the Internal Improvement Fund, a petition setting out the fact that the said John W. Henderson, Jennie H. Murphree and Flora A. Waldo, were children and only heirs at law of John A. Henderson, who depart-

ed this life intestate in Leon county, State of Florida on the 9th day of August A. D. 1904.

And on the 15th day of November A. D. 1897 and for a number of years prior thereto, the said John A. Henderson was agent of the State of Florida for the selection of Swamp and Overflowed lands under the Act of Congress September 28th 1850, by appointment and contract with the Trustees of the Internal Improvement Fund of the State of Florida. And that on the said 15th day of November A. D. 1897 there was an adjustment and settlement between the said John A. Henderson, as State Agent and the Trustees of the Internal Improvement Fund, upon the claims of the said Henderson against the said Trustees for services rendered in and about the selection of Swamp and Overflowed lands accruing to the State by said Act of Congress September 28th, 1850, in which settlement the said Trustees resolved to convey to the said Henderson or his assigns certain lands embraced between the then existing surveys and the margin of the Okeechobee Lake and Tributaries containing about 98,000 acres then unsurveyed and not patented to the State, in full settlement of his compensation for services as such State Agent for the selection of lands as aforesaid.

Said petition further alleging that the said lands were duly patented to the State of Florida on the 29th day of April, 1903, and that the said Henderson then became entitled to a conveyance of the same by deed from the said Trustees under the terms of the settlement and resolution, aforesaid, but that no such conveyance was made by said Trustees to said Henderson in his life time, or has since been made to his heirs or assigns.

That the said John W. Henderson, Jennie H. Murphree and Flora A. Waldo, as the children and only heirs at law of said John A. Henderson, are entitled by inheritance to all his property including his right to a conveyance of the lands aforesaid.

The said petition praying that the said Trustees of the Internal Improvement Fund of the State of Florida will convey by proper deed duly executed by said Trustees to the petitioners as heirs at law of the said John W. Henderson, deceased, the said lands by proper description as contained in the patents thereof.

*And Whereas*, It appears from the printed minutes of the Trustees of the Internal Improvement Fund, Volume 3, page 290, That on the 15th day of March, 1884, the Commissioner of Lands and Immigration had upon request of the Trustees to employ a suitable and competent person as Agent of the Board to make further selections of land granted to the State by Act of Congress of September 28th, 1850, and procure the proof required by the regulations of the United States Land Department for the approval of such selections, reported that he had employed Col. John A. Henderson, for that purpose, and that he was to incur all the expense necessary to make the selections and proof required, and to receive as compensation for such service, not exceeding two cents per acre upon the amount of such selections which may be patented to the State and to be paid in such lands at schedule prices—which action of the Commissioner of Lands and Immigration was approved by the Board.

*And Whereas*, It appears from the reports of the Secretary and Treasurer of the Internal Improvement Fund of the State of Florida, as printed in a volume containing said reports for the years from 1889 to 1900, that on November 15th, 1897, the said John A. Henderson appearing presented an application to the Board for a settlement and adjustment of his account as Agent for the State for the selection of Swamp and Overflowed lands under the Swamp Land Act of September 28th, 1850, up to the present date.

That the said Board of Trustees as the Trustees were then designated in said minutes, by resolution confirmed the employment of the said John A. Henderson, as such agent and re-affirmed the terms and conditions upon which said employment was effected and decided that under the contract the said Henderson had made selections of Swamp and Overflowed lands and that of such selections more than 3,250,000 acres had been patented to the State, and that there was then pending for confirmation an acreage of such selections of surveyed lands of more than 1,500,000 acres located in the several counties of the State. And that in addition thereto a selection had been made by said Agent covering unsurveyed lands adjacent to the margins of Lake Okeechobee and the Ever-

glades, aggregating 3,400,000 acres, which were practically ready for patents.

That said Trustees resolved at said meeting that there was still due and payable to the said John A. Henderson as such State Agent when patented the compensation on five to five million five hundred thousand acres of land payable in land at forty-five cents per acre in bodies of twenty-five thousand acres and one dollar per acre in forty acre tracts.

And that said Henderson represented to the Board that on account of contentions and disputes which he was having with Land Grant Companies over lands which were claimed by him for his compensation, and that said contentions were prejudicial to the practical application of the Swamp and Overflowed lands to the purposes of drainage, reclamation and Internal Improvement, by the Board, he would accept an area of Swamp and Overflowed lands that are unsurveyed and contiguous and that are in estimated acreage of less area than the acreage he would be entitled to at the price of one dollar per acre, as compensation in full for his account for services as such Agent to date.

That the lands which he thus proposed to take were embraced between the line of existing surveys and the margins of the Okeechobee and tributaries and which are more particularly described in said resolution and minute of the Board of Trustees, as the same appears to be printed on pages 24, 25, 26 of the report of the Secretary of the Board of Trustees of the Internal Improvement Fund of the State of Florida, of January 1st, 1899.

And by said resolution the Trustees of the Internal Improvement Fund, accepted the proposition of the said John A. Henderson and directed the Commissioner of Lands and Immigration to withdraw from sale and further disposal by this Board the lands of said list as fully set out and described in the proposition of said Henderson, and that when the said lands were patented to the State, the Board would convey to the said Henderson or his assigns the lands aforesaid in full settlement of his compensation for services as State Agent for the selection of Swamp and Overflowed lands accruing or to accrue to the State under the Act of Congress of September 28th, 1850, to the date of said resolution.

*And Whereas,* It appears to this Board that the said John A. Henderson departed this life intestate on the 9th day of August, 1904, leaving surviving him the said John W. Henderson, Jennie H. Murphree and Flora A. Waldo, as the children and only heirs at law of him, the said John A. Henderson.

*And Whereas,* It further appears to this Board that the lands which were selected by the said John A. Henderson as State Agent as aforesaid under his employment and contract made by other Trustees of the Internal Improvement Fund and predecessors of the present Trustees have been patented to the State of Florida, and that under said contract and settlements heretofore made as aforesaid, the said John A. Henderson if living would be entitled to receive from the Trustees of the Internal Improvement Fund a conveyance by deed of the lands embraced in the said settlement and adjustment of the said Henderson claims with the said Trustees on November 15th, 1897 and hereinbefore referred to.

*And Whereas,* It appears that the said petitioners are entitled to receive as the only heirs at law of the said John A. Henderson the benefits and advantages which accrued to the said John A. Henderson in his life time by virtue of his said contract with the Trustees and settlement of his claims as aforesaid.

*And Whereas,* The said petitioners to-wit: John W. Henderson, Jennie H. Murphree and Flora A. Waldo, as the children and only heirs at law of the said John A. Henderson, deceased, and the said John W. Henderson as Administrator of the estate of the said John A. Henderson, deceased, have agreed to execute and deliver to the Trustees of the Internal Improvement Fund a receipt in full to date for all claims and demands of whatever kind or nature soever, which the said John A. Henderson, deceased, had against the said Trustees or the Internal Improvement Fund arising upon his contract or contracts with the said Trustees for the selection and proof required by law to secure patents from the United States Government to the Swamp and Overflowed lands in the State of Florida, and upon the settlement and adjustment of his claims against the said Trustees of November 15th, 1897, and for all services rendered by him or his agents and employees as State Agents as aforesaid and of all claims



which the petitioners may have against the said Trustees or the Internal Improvement Fund as the children and heirs at law of the said John A. Henderson.

*Therefore be it Resolved*, By the Trustees of the Internal Improvement Fund that W. H. Ellis, Attorney-General be, and he is hereby directed to prepare a deed to the said petitioners to be executed by the said Trustees conveying to the said petitioners the land selected and described and which are embraced in said adjustment and settlement hereinbefore referred to. Which said deed to be executed by said petitioners upon the terms and conditions embraced in this resolution and preamble. And the same to operate as a complete and absolute extinguishment of all claims as aforesaid of said petitioners as children and only heirs at law of the said John A. Henderson, deceased, against the Trustees of the Internal Improvement Fund of the State of Florida.

The Board then adjourned.

Attest: W. S. JENNINGS, Governor.

W. M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., December 29, 1904.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

W. V. Knott, Treasurer.

W. H. Ellis, Attorney General.

B. E. McLin, Commissioner of Agriculture.

The following receipt and telegram annexed was presented to the Trustees and ordered spread upon the minutes.

\* "Tallahassee, Fla., December 29th, 1904.

"Received of the Trustees of the Internal Improvement Fund, State of Florida, a Deed Number 15,898 conveying to John W. Henderson, and Jennie H. Murphree, county of Leon, State of Florida, and Flora A. Waldo, county of Kings, State of New York, children and heirs of John A. Henderson, deceased, formerly of the county of Leon, State of Florida, an area of land estimated at 98,276.83 acres, lying and being in the counties DeSoto and Lee in

the State of Florida. This deed of conveyance is accepted in full settlement of all claims and demands for services rendered of whatever kind, for or on behalf of the Trustees of the Internal Improvement Fund, of the State of Florida, by our deceased father, John A. Henderson, and in pursuance of a resolution adopted by the Trustees of the Internal Improvement Fund, of the State of Florida on the 27th day of December, A. D. 1904, under which said conveyance was executed. It being distinctly understood that the land contained in this conveyance is a full, final and complete settlement.

"JOHN W. HENDERSON.

"JENNIE H. MURPHREE.

"FLORA A. WALDO by

"JOHN W. HENDERSON.

"Received at ..... 12-28, 1904.

"Dated New York, 27.

"To ..... John W. Henderson.

"Tallahassee, Fla.

"I hereby authorize you to receipt to Board for Lands.

"FLORA A. WALDO."

The Trustees then adjourned. ,

Attest: W. S. JENNINGS, Governor.

W. M. McINTOSH, JR.,

Secretary.

Tallahassee, Fla., December 30, 1904.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.

A. C. Croom, Comptroller.

W. V. Knott, Treasurer.

W. H. Ellis, Attorney General.

B. E. McLin, Commissioner of Agriculture.

The following resolution was adopted:

*Resolved*, By the Trustees of the Internal Improvement Fund of the State of Florida, after considering the letter dated "Gainesville, Fla., Dec. 27, 1904," addressed to "Hon. W. S. Jennings" signed "Perry M. Colson," which letter was read to the Trustees by Governor Jennings and which is now on file with the Trustees and after considering the reply thereto dated Dec. 28, 1904, addressed to

"Hon. Perry M. Colson" signed "W. S. Jennings, Governor" which reply was read to the Trustees by the Governor and a copy of the same being on file with the Trustees, that the application of Mr. Perry M. Colson for the payment of attorney's fees to Col. Hampton referred to in the correspondence—which correspondence has been filed with the Trustees—on this subject be declined, and further, that the Trustees do not recognize any responsibility or liability in the employment of counsel other than those employed by the Trustees.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
W. M. McINTOSH, JR.,  
Secretary.

Tallahassee, Fla., December 31, 1904.

The Trustees met in the Executive Office.

Present: W. S. Jennings, Governor.  
A. C. Croom, Comptroller.  
W. V. Knott, Treasurer.  
W. H. Ellis, Attorney General.  
B. E. McLin, Commissioner of Agriculture.

Mr. R. W. Williams, Attorney for the Trustees presented account for services rendered in various legal proceedings on behalf of the Trustees, embracing all the litigation now pending, and after full consideration it was decided to pay Mr. Williams \$2,500.00 on account of legal services.

The Trustees then adjourned.

Attest: W. S. JENNINGS, Governor.  
W. M. McINTOSH, JR.,  
Secretary.

I, William M. McIntosh, Jr., Secretary of the Board of Trustees of the Internal Improvement Fund of the State of Florida, do hereby certify that the foregoing pages contain true and correct copies of the original minutes of the proceedings of the Board of Trustees of the Internal Improvement Fund of the State of Florida, as appears of record in Volume 5, of the official minutes of the Board; containing the minutes of each meeting held, as recorded, beginning with the meeting held on December 15th, A. D. 1899, and ending with the meeting held on December 31st, A. D. 1904, which said Volume 5 is now in my official custody.



In testimony whereof I have hereunto set my hand and the Seal of the Trustees of the Internal Improvement Fund of the State of Florida, this the seventh day of January, A. D. Nineteen hundred and five.

W. M. MCINTOSH, JR.  
Secretary Board of Trustees of the Internal Improvement Fund of the State of Florida.

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